

**COUNCIL OF THE TOWNSHIP OF MONROE**  
**MINUTES**  
**REGULAR MEETING - JULY 6, 2016**

The Council of the Township of Monroe met in the Municipal Building, 1 Municipal Plaza, for a Regular Meeting.

The Regular Meeting was called to Order at 7:00 p.m. by Council President Leslie Koppel with a Salute to the Flag.

**UPON ROLL CALL** by the Deputy Township Clerk, Patricia Reid, the following members of Council were present: Councilman Blaise Dipierro, Councilman Michael Leibowitz, Councilwoman Elizabeth Schneider, Council Vice-President Stephen Dalina and Council President Leslie Koppel.

**ALSO PRESENT:** Business Administrator Wayne R. Hamilton, Township Attorney Joel Shain, Engineer Mark Rasimowicz and Deputy Township Clerk Christine Robbins.

There were approximately fifteen (15) members of the Public present in the audience.

Council President Koppel requested the Deputy Township Clerk to read the following **SUNSHINE LAW** into the record:

In accordance with the Open Public Meetings Act, it is hereby announced and shall be entered into the Minutes of this meeting that adequate notice of this meeting has been provided by the following:

1. Posted on January 5, 2016 on the Bulletin Board of the Office of the Township Clerk in the Municipal Building, 1 Municipal Plaza and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **STAR LEDGER** on January 8, 2016;
3. Posted on the Bulletin Boards within the Municipal Complex;
4. Posted on the Monroe Township website; and
5. Sent to those individuals who have requested personal notice.

In accordance with Chapter 3, Section 17 of the Monroe Township Code, Public Comment shall be limited to five (5) minutes unless further time is granted by the Council President.

Council President Koppel requested Mayor Tamburro and Council Vice President Dalina to conduct the presentation in recognition of the "Mayor's Youth Advisory Committee". Council Vice President Dalina gave a brief explanation about how the Committee came about and getting the youth of the Township involved in the Township. Council Vice President Dalina, Leah Wagner from the Library as well as Wayne Hamilton, Twp. Business Administrator was senior advisors to the group. Notices were put out for resumes and a selection of two High School students per grade was made. They had monthly meetings with various department speakers explaining what is available within the Township. Mayor Tamburro explained that his grandson is on the Youth Advisory Council in California and Mayor Tamburro thought it would be a great idea. Certificates and pens were presented.

The Committee consisted of the following:

Nicholas A. Tharney – Chairman

Council Vice President Stephen Dalina – Liaison from the Township Council

|                    |                        |
|--------------------|------------------------|
| Lauran Best        | Om Prabhu              |
| Megha Jain         | Mehak Vij              |
| Pranav Mallampalli | Ariana Yousafzai       |
| Harshini Malli     | Nicolas Ryan (Alt.)    |
| Julia Kafozoff     | Mariah Thompson (Alt.) |

A short recess was taken. The meeting was reconvened at 7:15pm.

**UPON MOTION** made by Council Vice-President Dalina and seconded by Councilwoman Schneider, the **CLAIMS** per run date of **06/24/2016** were approved for payment as presented.

ROLL CALL: Councilman Blaise Dipierro Aye  
 Councilman Michael Leibowitz Aye  
 Councilwoman Elizabeth Schneider Aye  
 Council Vice-President Stephen Dalina Aye  
 Council President Leslie Koppel Aye

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilwoman Schneider, the **MINUTES** of the **April 4, 2016 - Regular Meeting, April 25, 2016 Agenda Meeting, May 2, 2016 Regular Meeting, and June 1, 2016 Agenda Meeting** were approved as written and presented.

ROLL CALL: Councilman Blaise Dipierro Aye  
 Councilman Michael Leibowitz Aye  
 Councilwoman Elizabeth Schneider Aye  
 Council Vice-President Stephen Dalina Aye  
 Council President Leslie Koppel Aye

**UPON MOTION** made by Council Vice-President Dalina and seconded by Councilwoman Schneider, an Ordinance of which the following is the title was moved on second reading for final passage: **O-6-2016-017 ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "FEES"**. (Clinical Coordinator and MTUD fees and charges)

**ORDINANCE** as follows: (O-6-2016-017)

**BE IT ORDAINED** by the Council of the Township of Monroe, County of Middlesex, State of New Jersey that Chapter 39 of the Code of the Township of Monroe is hereby amended as follows:

**SECTION 1.**

- ' 39-1. **Title.**
- ' 39-2. **Purpose.**
- ' 39-3. **Fees enumerated.**
- ' 39-4. **Board of Education exemption.**

' 39-1. **Title**

This chapter shall be known as the "Codification of Fees and Costs of the Township of Monroe".

' 39-2. **Purpose**

This chapter is adopted in order to advise the citizens of the township, and any and all persons doing business with the township, of the various fees charged for services rendered by the departments of township government and to provide ready access to any and all such information.

**A. General Fees.**

- (5) **Division of Ambulance Service.**
  - (a) **Clinical Coordinator training fees.**

| <u>Course</u>                                | <u>Tuition Cost Per Person</u>    |
|--|-----------------------------------|
| Human Resources Training                     | \$15.00 - \$ 65.00                |
| AMLS (advanced Medical Life Support          | <del>\$130.00</del> <b>150.00</b> |
| CISM (Critical Incident Stress Management    | \$ 65.00                          |
| Assisting the Paramedic                      | <del>\$ 85.00</del> <b>60.00</b>  |
| Cold Weather Emergencies                     | \$ 45.00                          |
| CPR for Health Care Provider                 | <del>\$ 50.00</del> <b>60.00</b>  |
| CPR for Health Care Provider-Renewal         | <del>\$ 50.00</del> <b>60.00</b>  |
| CPR Family & Friends (Adult & Child)         | <del>\$ 30.00</del> <b>60.00</b>  |
| CPR Family & Friends (Infant)                | <del>\$ 30.00</del> <b>60.00</b>  |
| CPR Family & Friends (Adult, Child & Infant) | <del>\$ 35.00</del> <b>60.00</b>  |
| Heartsaver Adult & Child                     | <del>\$ 50.00</del> <b>60.00</b>  |
| Heartsaver Adult, Child & Infant             | <del>\$ 50.00</del> <b>60.00</b>  |
| Heartsaver AED Adult & Child                 | <del>\$ 50.00</del> <b>60.00</b>  |
| Heartsaver AED Adult, Child & Infant         | <del>\$ 50.00</del> <b>60.00</b>  |
| Heartsaver First Aid                         | <del>\$ 50.00</del> <b>60.00</b>  |
| Heartsaver First Aid with CPR/AED            | \$ 75.00 <b>90.00</b>             |

|   |                     |               |
|---|---------------------|---------------|
| AHA CPR Instructor Course   | \$300.00            |               |
| Diversity   | \$ 25.00            |               |
| Drowning and Near Drowning  | \$ 65.00            |               |
| EMS Response to Acute Stroke  | \$ 45.00            |               |
| <b>EMS Safety</b>   | <b>\$ 60.00</b>     |               |
| Ethics  | \$ 25.00            |               |
| Fire/EMS Rehab Monroe Twp.  | \$ 45.00            |               |
| Sports & Safety First Aid   | \$ 30.00            |               |
| First Responder   | \$300.00            |               |
| HIPPA In-service  | <del>\$ 25.00</del> | <b>40.00</b>  |
| ITLS (International Trauma Life Support)                                      | \$300.00            |               |
| HIV/AIDS  | <del>\$ 20.00</del> | <b>40.00</b>  |
| Blood borne Pathogens   | <del>\$ 20.00</del> | <b>40.00</b>  |
| NJSFAC Basic Extrication  | \$180.00            |               |
| NJSFAC Extrication Recertification  | \$180.00            |               |
| OB Emergencies  | \$ 85.00            |               |
| OPRA (Open Public Records Act)  | \$ 45.00            |               |
| <b>PEPL</b>   | <b>\$ 150.00</b>    |               |
| PEPP – Advanced or Basic Pediatric Emergencies for Pre-Hospital providers     | <del>\$480.00</del> | <b>80.00</b>  |
| Pharmedic   | \$300.00            |               |
| Defensive Driving Course - 8 hour   | <del>\$ 45.00</del> | <b>80.00</b>  |
| Defensive Driving Course - 6 hour   | <del>\$ 30.00</del> | <b>80.00</b>  |
| May be used for MVA point reduction or Insurance reduction pending each state |                     |               |
| CEVO II: Ambulance or Fire Certified  | \$ 75.00            |               |
| Emergency Vehicle Operations  |                     |               |
| Miscellaneous CEU/In-Service Per credit                                       | \$ 25.00            |               |
| GEMS  | <del>\$480.00</del> | <b>80.00</b>  |
| Geriatric Emergency Medical Services  |                     |               |
| NJ EMT Basic Full Course  | \$475.00            |               |
| NJ EMT Refresher (Core 13)  | <del>\$150.00</del> | <b>225.00</b> |
| <b>(3 day course, Sessions A, B, C, - 75.00 each)</b>                         |                     |               |
| <b>Respiratory Fit Testing</b>  | <b>\$ 120.00</b>    |               |
| RAD 57 & Epi Pen  | \$ 25.00            |               |
| Right to Know NSC   | \$ 25.00            |               |
| Sexual Harassment   | \$ 25.00            |               |
| Special Children's Outreach & Pre-Hospital Edu.                               | \$180.00            |               |
| Warm Weather Emergencies #1   | \$ 45.00            |               |
| Wound Care Management   | \$ 45.00            |               |

\*\*The cost of training materials (i.e., individual study booklets, etc.) and the cost of administrative processing fees (i.e., certification cards or reporting costs), if applicable, are the responsibility of each student and are not included in the above referenced fees.

**J. Monroe Township Utility Department fees and charges.**

**RATE SCHEDULE PART 1 – SEWER SERVICE**

**SECTION A – DEFINITIONS**

A "UNIT" shall be defined as follows:

1. Residential:
  - (a) Each single family dwelling.
  - (b) Each single family apartment dwelling in a multiple family structure or structures.
2. For users other than residential:, including each tenant in a non-residential building, an Equivalent Dwelling Unit of sewage flow shall be deemed to equal 444 **138** gallons per day of sewage flow. Example: 444 **138** gal/day x 365 days = ~~51,465~~ **50,370** gal/year = one unit.

Customer – shall be the owner of the property. For existing multi-family or non-residential customers with multiple meters the MTUD will continue as a courtesy to send the bills to the Tenant with a copy to the Owner. The Owner is responsible for payment of the bills. If the bill(s) are unpaid a lien will be placed on the property.  
BOD shall mean the capacity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Centigrade.

Suspended Solids shall mean solids that either float on the surface or are in suspension in water, sewage, or other liquids and those which are removable by laboratory filtration.

Chlorine Demand is the difference between the amount of chlorine applied to a treated supply and the amount of free combined or total available chlorine remaining at the end of the contract period.

GREASE: Grease is defined to include the accumulation of oils, fats, cellulose, starch, proteins, wax, or grease, whether emulsified or not, in the Sewer System of Utility Department. These are substances which may solidify or become viscous at temperatures between thirty-two (32) degrees Fahrenheit and one hundred-fifty (150 Fahrenheit) (0 degrees – 65 degrees Celsius).

GREASE GENERATING ESTABLISHMENTS: Grease generating establishments, shall mean all retail food establishments, catering establishments, commercial food preparation facilities, meat processing facilities, and other establishments that may be capable of accumulating and discharging grease into the Sewer System.

OWNER: Owner shall mean individual, person, firm, company, association, society, corporation, or group upon whose property the building or structure is located or will be constructed. In the event that one entity owns the building while another entity owns the property then the Owner is the latter of the two.

**SECTION B – ANNUAL SERVICE CHARGES**

- |  |                                      |
|--|--------------------------------------|
| <u>Classification</u>  | <u>Minimum Annual Service Charge</u> |
| 1. Residential (as defined in Section A (1) above).  | \$259.00per unit                     |
| 2. All users other than residential:   |                                      |
| (a) For the first unit or portion thereof, a minimum annual service charge of \$259.00.  |                                      |
| (b) For those users whose quarterly sewage flow exceeds <del>12,866</del> <b>12,593</b> gallons based on metered water consumption or actual sewage flow the rate shall be as follows: |                                      |

| Quarterly usage<br>(#of Gallons)                        |  | Rates                                    |
|---|--|--|
| <b>From:</b><br>0                                       | <b>To:</b><br><del>12,866</del> <b>12,593</b> <<<gallons<br>per qtr. | \$64.75 per quarter                      |
| <del>12,866</del> <b>12,593</b> <<<gallon<br>s per qtr. | And over   | \$64.75 plus \$5.68 per 1,000<br>gallons |

- (c) All water consumption readings shall be those obtained by the Utility Department from its own billing records where the Utility Department is supplying the water, or from the water company furnishing water to the respective units. If a customer obtains its water supply from a private well or an un-metered public water supply, then the user shall install a meter, location of which is to be approved by the Utility Department. In the event the user fails to install said meter after receiving notice from the Utility Department, then such installation shall be made by the Utility Department. In either case, the costs of the meter and the installation thereof shall be borne by the user. The meter shall be of the type approved by the Utility Department and may be purchased from the Utility Department. Prices of meters will be furnished upon request to the Utility Department.
- (d) In the event that estimated usage should prove to be inaccurate, the Utility Department reserves the right to recalculate prior Annual Service Charges with the difference charged to or credited to the user.
- (e) In the event a customer claims a substantial water use, the waste product of which does not pass into the sewer system, the customer shall have an option of specifically metering the waste usage which does not flow into the sewer system and the water so used shall be deducted from the total water usage in computing annual water consumption. All customers shall have the option of installing a sewer meter at the customer's cost and expense and in the event of such an installation, the readings on said sewer meter shall be substituted for the annual water consumption as set forth in subsection (b) hereof.
- (f) An industrial cost recovery surcharge shall be collected by the Utility Department for those users whose sewage characteristics exceed one or more of the following standards:

1. Biochemical oxygen demand (BOD) greater than 200 parts per million (PPM).
2. Suspended solids greater than 250 PPM.
3. Chlorine demand in excess of 15 PPM.

For such users the industrial cost recovery surcharge shall be based on the Schedule of Rates charged by Middlesex County Utilities Authority plus a twenty-five percent administrative fee.

Where the industrial cost recovery surcharge is charged to another municipality, the charge shall be based on the Schedule of Rates charged by Middlesex County Utilities Authority plus a ten percent administrative fee.

The characteristics of the sewage waste shall be determined from actual samplings or other approved means, and shall be based upon analysis made in accordance with the procedure outlined in the latest edition of "Standard Methods of Analysis of Water and Sewage" published by the American Public Health Association. The Utility Department may require the installation of automatic samplers at the cost of the owner to obtain representative samples during a calendar quarter, or as may be required. The cost of sampling and analysis will be borne by the customer.

- (g) Control of Grease. No person shall discharge or cause to be discharged into the Sewer System, any water or waste containing more than one hundred (100) PPM by weight of fats, oils or grease.

In the event it is determined that blockage of an Utility Department sewer main is a result of the discharge from any grease generating establishment, all costs incurred by the Utility Department will be charged to the Owner of said grease generating establishment. Such costs can include but are not limited to, cost of clearing the blockage; damages to sewer lines; administrative, legal, and engineering costs; cleanup of pollution to surrounding soils or water; and reimbursement of any penalties imposed by regulatory agencies.

In addition to such other remedies as may be provided by law for violation of these regulations, the Utility Department may add such bacteria formulations to the Sewer System servicing grease generating establishments regulated herein. The Utility Department may charge the cost thereof as an additional sewer use charge to the Owner who is in violation of any provision of this regulation.

In the event of any violation of this regulation or of any improper unauthorized use of any portion of the sewer system by any owner, then the Owner shall in the discretion of the Director be penalized a maximum of Five Hundred (\$500.00) Dollars for each violation or improper unauthorized use. Each Day in which a violation or improper unauthorized use occurs, shall be deemed a separate offense. For purposes of this regulation, two (2) test readings showing more than 100 parts per million by weight of fats, oils or grease within a calendar month shall be deemed to be presumptive evidence of a violation occurring in each day of that calendar month.

#### **SECTION C – PAYMENT OF ANNUAL SERVICE CHARGES**

1. All sewer service charges are payable quarterly in advance.
2. All charges shall be payable on or before the due date of the bill. Any charges which are not paid by the due date will be charged a penalty of (1%) per month or fraction of a month, back to the billing date. Any partial payment of a bill will be applied first to interest charges, then to the oldest service charges.
3. If any account which remains unpaid after the due date will be sent a reminder. If any account is still unpaid at thirty (30) calendar days after the date due, a notice will be sent giving fifteen (15) calendar days to make payment or services will be discontinued. If payment is not received within fifteen (15) calendar days service will be shut off and a shut off fee of \$75.00 will be assessed to the account.
4. All penalties are due and payable within thirty (30) days from the date that the Owner is notified in writing of the violations charged and the penalty to be imposed. In the event the penalty is not paid as required under these rules, then the Utility Department in its discretion may take all actions available to it for the non-payment of sewer charges as provided in N.J.S.A. 40A:26A-12. For purposes of these regulations, the Owner shall be responsible for the actions of any tenant using the sewer system.

The penalties imposed in this section shall be cumulative to other remedies afforded to the Utility Department by statute, as provided in N.J.S.A. 40A:26-14.

**SECTION D – CONNECTION FEES AND CHARGES**

1. The initial fees for the right to connect directly or indirectly to the Utility Department sewer system shall include a connection charge or fee per unit, as well as fees for applications, review, and inspection of work to be accomplished by the applicant in keeping with the Utility Department's "Rules and Regulations Governing Applications to the Monroe Township Utility Department for Construction of Comprehensive Sewer Systems in the Township of Monroe." These connection fees, which are one-time initial service charges for the right to connect to the Utility Department's sewer system, are calculated in accordance with N.J.S.A. 40A26A-11 and are an integral part of this Rate Schedule.
2. The connection fee for each unit shall be ~~\$3,100~~ **\$3,160**. Connection fees for single family homes not part of a real estate development are payable at the option of the applicant in two installments with the initial installment paid prior to the time of the connection and the second payment due within one year. Interest shall accrue and be due to the Utility Department at 1% per month on the unpaid balance. In the case where the system is under construction but not yet available for connection, connection fees can be paid at the option of the applicant in two (2) installments without interest.

In the case of real estate developers, the connection fees for any development of ten (10) or less units shall be payable at the time of final approval.

In any development of more than ten ( 10 ) units, connection fees for the first ten (10) units shall be payable at the time of final approval with the balance of connection fees payable in groups of ten (10) units at a time in advance of the building permit.

3. For a user other than residential with estimated sewage flows in excess of 441**138** gallons per day the connection fee shall be based on the number of units as defined in Section A (2) above. Fractional number of units shall be calculated to the next highest unit.
4. Where a connection to the sewer system is to be made after construction of mains has been completed and sewer service is available to the user, then in addition to the connection fee, the applicant shall pay for the cost of construction and inspection from the main to the curb, such construction to be performed by an approved contractor and inspection by the MTUD
5. No connection to the Utility Department sewer system shall be made until compliance with the requirements set forth in this Section have been met, and no excavation shall be back-filled until inspection has been completed by the duly designated representative of the Utility Department.

**SECTION E – FILING, REVIEW AND INSPECTION FEES**

1. Where mains are to be constructed by anyone other than the Utility Department, the applicant shall make application and pay fees for the time of Utility Department personnel on an hourly basis to draw down against the deposit as listed below:
2.
  - a) Application for Review of Preliminary Plans:  
Minor Subdivision Fee ..... \$600.00  
Major Subdivision or Major Site Plan-Deposit ..... \$1,000 min.  
or \$25.00 per unit whichever is greater.
  - b) Application for Tentative Approval:  
Review Fee – Deposit .....  
1-1/2 % of estimated construction cost or 600.00 min
  - c) Application for Final Approval:  
Review Fee – Deposit .....  
1-1/2 % of estimated construction cost
  - d) Inspection Fee – Deposit .....  
5% of estimated construction cost
  - e) Application for extensions of approval must be accompanied by a re-view fee deposit of \$600.00. Application for revisions after submittal and initial review must be accompanied by a review fee deposit of \$1,000.00.
  - f) Request for USEPA grant waiver or mapping revision must be made by the Owner of the property. A \$600.00 processing fee made payable to MTUD must accompany the request.

If the deposit is depleted before completion of review or inspection, the applicant shall deposit an additional amount to complete the review or inspection as estimated by the Utility Department Engineer within five (5) days of notification or all review and inspection will cease at the end of five (5) days after notification.

Any review fees for Preliminary Minor Applications is a flat fee and no portion will be returned to the applicant upon approval by the Utility Department.

Minor applications include any residential application which does not require extension of water and or sewer facilities (including service connection in the street) and which will not connect more than three houses to the water/sewer system. All commercial/industrial applications are major applications; however, the Utility Department may charge the lower minor review fee to tenants in newly approved commercial buildings for individual tenant fit out.

Any deposit monies other than review fees for Preliminary Minor Application not used will be returned to the applicant upon request after the project is completed. The Utility Department will retain sufficient funds to conduct an inspection at the end of the maintenance period.

The amount charged by the Utility Department for review and/or inspection shall be calculated by the Utility Department on an annual basis after the adoption of the Utility Department's budget for the coming fiscal year, and shall be based on the hourly salary cost to the Utility Department plus the cost of fringe benefits payable to said individual and the cost of the overhead of the Utility Department allocable to that employee.

2. All persons wishing to connect to the sewer system are required to make application for connection under the terms of the preceding paragraph and pay the required fees as outlined in that paragraph.
- 2A. Each time there is a change in the owner or tenant of a non-residential unit, the owner shall file an application for approval.

#### **SECTION F – RATES CHARGED TO CUSTOMERS SERVICED BY OTHER ENTITIES**

Rates charged to customers who are serviced by other entities through contract between the Monroe Township Utility Department and that entity shall be at that rate which is set forth in the contract with the entity, plus a twenty-five percent administrative cost unless prohibited by the contract with the other entity.

#### **SECTION G- RESERVATION, RIGHT TO MODIFY**

The Township of Monroe reserve the rights to modify or change any of the foregoing rules or make such addition, by rules and regulation, as maybe found essential in the protection of the public interests and the management of the Department and to impose such additional restrictions as may be deemed necessary.

**If any of the above regulations is declared or held to be unconstitutional or legally inoperative, no other portion of this regulation shall be affected, but the unconstitutional or inoperative provision shall be rescinded and remaining provisions of this regulation shall remain in effect.**

#### **PART II – WATER SERVICE**

##### **SECTION A – DEFINITIONS:**

A. "UNIT" shall be defined as follows:

1. Residential
  - a) Each single family dwelling
  - b) Each single family apartment dwelling in a multiple family structure or structures.
2. Other than Residential: includes each tenant in a non-residential building, One Equivalent Dwelling Unit of potable water shall equal ~~485~~ **188** gallons per day of estimated water consumption or fraction thereof. In a building with more than one tenant or occupant, each separate tenant or occupant shall be calculated separately. Example: ~~485~~ **188** gal/day x 365 days = ~~67,525~~ **68,620** gal/year = one unit.
3. IRRIGATION: One equivalent unit of water used for irrigation shall equal ~~496~~ **483** gallons per day of water consumed or fraction thereof. Connection fees set forth in Section I shall be applicable.

**SECTION B – FIXED SERVICE CHARGES FOR WATER**

1. All metered general water service users shall pay a fixed service charge based on the size of each connection installed, in addition to the charges for the quantity of water used, if any.

|     | Size of Connection  | Fixed Service Charge per Quarter |
|-----|---|----------------------------------|
| (A) | Residential:<br>5/8" or 3/4"                                      | \$13.28                          |
|     | 1"  | \$26.55                          |
|     | Multiple Dwelling   | \$13.28 per unit                 |
| (B) | Residential without electronic radio transmitter:<br>5/8" or 3/4" | \$38.28                          |
|     | 1"  | \$45.55                          |
|     | Multiple Dwelling   | \$38.28 per unit                 |
| (C) | Commercial<br>5/8: or 3/4"  | \$13.28                          |
|     | 1"  | \$26.55                          |
|     | 1 –1/2"   | \$39.80                          |
|     | 2"  | \$55.78                          |
|     | 3"  | \$94.84                          |
|     | 4"  | \$132.76                         |
|     | 6" and Over   | \$185.86                         |

**SECTION C – RATES FOR WATER CONSUMED**

1. In addition to the fixed service charge set forth above, a charge will be made for all water used as registered by the meter.

|               | Gallons per Quarter | Rater per 1,000 Gallons |
|---------------|---------------------|-------------------------|
| For the first | 10,000              | \$1.45                  |
| For the next  | 25,000              | \$2.47                  |
| For all over  | 35,000              | \$2.76                  |

**SECTION D**

**1. IRRIGATION CHARGES-POTABLE WATER**

Customers with a separate meter for irrigation connected to a potable water distribution main shall pay a fixed service charge based on the size of each connection installed, in addition to the charges for the quantity of water used, if any.

|  | Size of Connection | Fixed Service Charge per Quarter |
|--|--------------------|----------------------------------|
|  |                    |                                  |
|  | 3/4"               | \$13.28                          |
|  | 1"                 | \$26.55                          |
|  | 1 –1/2"            | \$39.80                          |
|  | 2"                 | \$55.78                          |
|  | 3"                 | \$94.84                          |
|  | 4"                 | \$132.76                         |
|  | 6" and Over        | \$185.86                         |
|  |                    |                                  |

**RATES FOR WATER USED**

In addition to the fixed service charge set forth above, a charge will be made for all water used as registered by the meter.

|               | Gallons per Quarter | Rater per 1,000 Gallons |
|---------------|---------------------|-------------------------|
| For the first | 10,000              | \$1.45                  |
| For the next  | 25,000              | \$2.47                  |
| For all over  | 35,000              | \$2.76                  |

**2. IRRIGATION CHARGES-NON POTABLE WATER MAIN**

a. Residential customers with a separate meter for irrigation, connected to a non-potable water main charges will be based only on the amount of water actually used. No fixed service charge and no connection fee. A rate of \$2.00 per 1,000 gallons will apply.



- b. Commercial customers with a separate meter for irrigation connected to a non-potable distribution main, charges will be based only on the amount of water actually used. No minimum service charge and no connection fee. A rate of \$2.73 per 1,000 gallons will apply.

In the event that any water meter shall become damaged or otherwise inoperable during any billing period, the bill for that billing period shall be based on an estimated use of water.

**SECTION E – PRIVATE FIRE PROTECTION SERVICE**

1. Annual stand-by water charges for sprinkler systems.

| Size of Connection<br>Inches   | Annual Charge |
|--------------------------------|---------------|
| Non-residential 2" or smaller* | \$168.56      |
| 3"                             | \$252.84      |
| 4"                             | \$337.12      |
| 6"                             | \$673.84      |
| 8"                             | \$1,348.48    |
| 10"                            | \$2,022.72    |
| 12"                            | \$2,675.00    |

Additional charge for each sprinkler head is \$1.00

\*non-residential only; there will be no stand-by charge for residential fire connections 2" and smaller

2. The annual charge for each hydrant and/or Siamese connection shall be \$275.00
3. No charge shall be made for water used in the extinguishing of fires. Water for any other purpose shall not be drawn from a private fire service connection.
4. Fire protection shall be provided by separate connection to the Utility Department mains.

**SECTION F – PUBLIC FIRE PROTECTION SERVICE**

1. The annual charge for each hydrant shall be \$275.00
2. No charge shall be made for water used in the extinguishing of fires.

**SECTION G – MISCELLANEOUS**

**1. Turn on and turn off fees**

A charge of \$75.00 shall be made for each turn-off or turn-on during regular working hours. Any turn-on or turn-of required outside regular working hours shall be charged at \$102.50 each unless both turn-on and turn-off are scheduled two days in advance no more than one hour apart. A minimum notice of seven (7) days for each turn-off and/or turn-on must be given to the Utility Department. Under no circumstances shall any person not authorized by the Utility Department open or close the curb stops or valves in any Utility Department water line.

**2. Temporary Meters**

The Utility Department reserves the right to install temporary meters during construction of any residential or commercial structure. The fee for installation of temporary meters shall be \$275.00

**3. Wet tap fees**

Where the user requires connection to the water system after construction of mains has been completed and water service is available to the user, then in addition to the connection fee, the applicant shall pay for the cost of construction from the main to the curb, such construction to be performed by the Utility Department and/or an approved contractor. These costs shall be as follows:

When the tap is on the same side of the road as the service:

|        |            |
|--------|------------|
| 3/4"   | \$1,494.35 |
| 1"     | \$1,646.50 |
| 1-1/2" | \$2,637.32 |
| 2"     | \$3,089.05 |

When the tap is on the opposite side of the road from the service:

|        |            |
|--------|------------|
| 3/4"   | \$1,743.35 |
| 1"     | \$1,941.00 |
| 1-1/2" | \$2,952.82 |
| 2"     | \$3,623.55 |

The above fees are based on a 4 hours timeframe. If project goes over 4 hours then hourly rate of \$223.00 is applied. These fees includes meter pit and installation costs. It is the applicant's responsibility to secure necessary road opening permit, to excavate, backfill and restore the excavated area according to MTUD Rules and Regulations.

**4. Hydrant Meter Rental**

The use of water for building purposes, irrigation, or other construction, shall be metered at a hydrant to be determined by the Utility Department. At the time of application, the user shall pay submit a deposit for the meter as follows:

|            |            |
|------------|------------|
| 3/4" Meter | \$500.00   |
| 3"         | \$1,500.00 |

In addition, there shall be a rental charge for the hydrant meter of \$43.60 per month or part thereof, payable monthly in advance. Each meter holder, by the 5<sup>th</sup> day of each month shall return the meter to the Utility Department for them to read. If the meter holder fails to provide a meter by the date specified then the meter will be confiscated and the deposit will be forfeited. The charge for water usage will be made on the basis of Section C hereof. The application for such water services shall be made by the owner of the property on which said water is to be used. The Utility Department shall have its statutory lien on such property for the collection of said charges.

**5. Tampering, Illegal Connections & Theft of Services**

In any case, where a water meter of the Monroe Township Utility Department has been adjusted, damaged, or tampered with, the customer on whose premises said meter is located shall be charged a cost recovery charge of \$275.00, which shall be billed as part of his regular billing on the next regular billing date after said adjusting, tampering or damage shall have been discovered. Any person found tampering or unauthorized use of water by way of using of fitting known as "Jumper", "Spacer" or "Spreader" shall be billed a recovery charge plus water usage charge to be determined by the Utility Department

**6. Meter, Removal, Testing & Certification charges**

If at the request of the customer, a meter is removed and bench tested and it is found to be accurate then the customer shall pay the cost of such testing as stated below. A deposit equal to test fee is required before any testing can be done. If the meter meets the utilities' standards, the deposit is used to cover the cost of testing. No charge if meter tests outside these standards, the deposit is returned to the customer.

| Size of Meter | Test Fee |
|---------------|----------|
| 5/8 to 1 inch | \$150.00 |
| 1 1/2         | \$250.00 |
| 2" and up     | \$350.00 |

7. When the Utility Department performs a bacteriological test on new water lines, there shall be a fee of \$100.00 per test, payable in advance.

**8. Winterization Fees**

The work should be done by a licensed plumber bonded with the MTUD. It is the responsibility of the customer/homeowner to protect the meter from freezing during cold and freezing weather. Fees for repairs due to damage resulting from freezing meters are the responsibility of the customer/homeowner. There will be a non refundable fee as follows:

| Size (inches) | Fee     |
|---------------|---------|
| Up to 1       | \$10.00 |

**Note: Call MTUD or visit our website for a current list of MTUD qualified (bonded) plumbers.**

**9. Returned Check Fee \$20.00**

**10. Access to the premises.**

Upon presentation of badge or credentials, the authorized MTUD employee shall be granted access to the meter at reasonable hours of the day to inspect the meter and perform other duties as may deem necessary. Any person, who may obstruct or oppose the Utility Department in making such inspection or other work relative to the water service, shall bear the cost of having a meter pit installed. If the cost of the installation remains unpaid, the Utility Department shall have its statutory lien on the property for the collection of said charges.

**SECTION H – PAYMENT**

1. All water fixed service charges are payable quarterly in advance and water usage charges shall be billed in the next quarter.
2. All charges shall be payable on or before the due date of the bill. Any charges which are not paid by the due date will be charged a penalty of one percent (1%) per month or fraction of a month, back to the billing date. Any partial payment of a bill will be applied first to interest charges, then to the oldest service charges.
3. If any account which remains unpaid after the due date will be sent a reminder; if any account is still unpaid at thirty (30) calendar days after the due date, a notice will be sent giving fifteen (15) calendar days to make payment or services will be discontinued. If payment is not received within fifteen (15) calendar days water service will be discontinued and a shut off fee of \$75.00 will be assessed to the account.
4. All penalties are due and payable within thirty (30) days from the date that the Owner is notified in writing of the violations charged and the penalty to be imposed. In the event the penalty is not paid as required under these rules, then the Utility Department in its discretion may take all actions available to it for the non-payment of sewer charges as provided in N.J.S.A 40A:31-12. For purposes of these regulations, the Owner shall be responsible for the actions of any tenant using the sewer system.  
The penalties imposed in this section shall be cumulative to other remedies afforded to the Utility Department by statute, as provided in N.J.S.A. 40A:13-14.

**SECTION I – CONNECTION FEES AND CHARGES**

1. The initial fees for the right to connect directly or indirectly to the Utility Department's water system shall include a connection charge or fee as well as fees for application review and inspection of work to be accomplished by the applicant in keeping with the requirements of the Utility Department's Rules and Regulations. These connection fees, which are one-time initial service charges for the right to connect to the Utility Department's water system, are calculated in accordance with NJSA 40: 31-11 and are an integral part of this Rate Schedule.
2. The potable water connection fee for each unit shall be ~~\$3,324.00~~ **\$3,304.00** and the irrigation connection fee shall be \$0.00. Connection fees for single family homes not part of a real estate development are payable at the option of the applicant in two (2) installments with the initial installation paid prior to the time of the connection and the second payment due within one year. Interest shall accrue and be due to the Utility Department at 1% per month on the unpaid balance. In case the system is under construction but not yet available for connection, connection fees can be paid at the option of the applicant in two (2) installments without interest. In the case of real estate developers, the connection fees for the development shall be payable at the time of final approval.

In any development of more than ten (10) units, connection fees for the first ten (10) units shall be payable at the time of final approval with the balance of connection fees payable in groups of ten (10) units at a time in advance of the building permit.

3. For a user other than residential with estimated potable water consumption in excess of ~~185~~**188** gallons per day and/or ~~496~~ **483** gallons per day for irrigation, then the connection fee shall be based on the number of units as defined in Section A (2) above. Fractional number of units shall be calculated to the next highest unit.
4. The Utility Department reserves the right to examine plans for all connections and to specify the connection size required. The gallonage used to determine the size of the connection shall be based on estimated annual water consumption as calculated by the applicant's engineer and approved by the Utility Department Engineer.
5. Where a connection to the water system is to be made after construction of mains has been completed and water service is available to the user, then in addition to the connection fee, the applicant shall pay for the cost of construction and inspection from the main to the curb, such construction to be performed by an approved contractor and inspection by the MTUD.
6. No connection into the Utility Department's water system shall be made until compliance with the requirements set forth in this Section have been met, and no excavation shall be back-filled until inspection has been completed by the duly designated representative of the Utility Department.

#### **SECTION J – FILING, REVIEW, AND INSPECTION FEES**

Where mains are to be constructed by anyone other than the Utility Department the application shall make application and pay fees for the time of Utility Department personnel on an hourly basis down against the deposit as listed below:

- a) Application for Review of Preliminary Plans:
  - Minor Subdivision Fee ..... \$600.00
  - Major Subdivision or Major Site Plan-Deposit ..... \$1,000.00 minimum  
or \$25.00 per unit whichever is greater.
- b) Application for Tentative Approval:
  - Review Fee – Deposit .....
  - 1-1/2 % of estimated construction cost or \$600.00 minimum.
- c) Application for Final Approval:
  - Review Fee – Deposit .....
  - 1-1/2 % of estimated construction cost
  - Inspection Fee – Deposit .....
  - 5% of estimated construction cost

Applications for extensions of approval must be accompanied by a review fee deposit of \$600.00. Application for revisions after submittal and initial review must be accompanied by a review fee deposit of \$1,000.00.

If the deposit is depleted before completion of review or inspection, the applicant shall deposit an additional amount to complete the review or inspection as estimated by the Utility Department Engineer within five (5) days of notification or all review and inspection will cease at the end of the allotted five (5) days.

Any review fees for Preliminary Minor Applications is a flat fee and no portion will be returned to the applicant upon approval by the Utility Department.

Minor applications include any residential application which does not require extension of water and or sewer facilities (including service connection in the street) and which will not connect more than three houses to the water/sewer system. All commercial/industrial applications are major applications; however, the Utility Department may charge the lower minor review fee to tenants in newly approved commercial buildings for individual tenant fit out.

Any deposit monies other than review fees for Preliminary Minor Application not used will be returned to the applicant upon request after the project is completed. The Utility Department will retain sufficient funds to conduct an inspection at the end of the maintenance period.

The amount charged by the Utility Department for review and/or inspection shall be calculated by the Utility Department's Auditor on an annual basis after the adoption of the Utility Department's budget for the upcoming fiscal year, and shall be based on the hourly salary cost to the Utility Department plus the cost of fringe benefits payable to said individual and the cost of the overhead of the Utility Department allocable to that employee.

**SECTION K – RATES CHARGED TO CUSTOMERS SERVICED BY OTHER ENTITIES**

Rates charged to customers who are serviced by other entities through contract between the Monroe Township Utility Department and that entity shall be at that rate which is set forth in the contract with the entity, plus a twenty-five percent administrative cost.

**SECTION L - RESERVATION, RIGHT TO MODIFY**

The Township of Monroe reserve the rights to modify or change any of the foregoing rules or make such addition, by rules and regulation, as maybe found essential in the protection of the public interests and the management of the Department and to impose such additional restrictions as may be deemed necessary.

**If any of the above regulations is declared or held to be unconstitutional or legally inoperative, no other portion of this regulation shall be affected, but the unconstitutional or inoperative provision shall be rescinded and remaining provisions of this regulation shall remain in effect.**

**SECTION 2.** All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed.

**SECTION 3.** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION 4.** This Ordinance shall take effect twenty (20) days after passage, adoption and publication according to law.

**SO ORDAINED**, as aforesaid.

There was no Public or Council discussion.

As Council Vice President Dalina and Councilwoman Schneider regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE NO. O-6-2016-017 ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "FEES"**. (Clinical Coordinator and MTUD fees and charges)

|                                       |     |
|---------------------------------------|-----|
| ROLL CALL: Councilman Blaise Dipierro | Aye |
| Councilman Michael Leibowitz          | Aye |
| Councilwoman Elizabeth Schneider      | Aye |
| Council Vice-President Stephen Dalina | Aye |
| Council President Leslie Koppel       | Aye |

Copy of Ordinance Duly Filed.  
O-6-2016-017

**UPON MOTION** made by Council Vice-President Dalina and seconded by Councilwoman Schneider, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE NO., O-6-2016-018 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "VEHICLES AND TRAFFIC"**. (Speed Limit along Cranbury-Half Acre Rd)

**ORDINANCE** as follows: (O-6-2016-018)

**BE IT ORDAINED** by the Township Council of the Township of Monroe, in the County of Middlesex, New Jersey as follows:

**SECTION 1.** Chapter 122-44.1. entitled "Schedule XVA: Speed Limits" shall be amended as follows:

| <u>Name of Street</u>     | <u>Speed Limit (mph)</u> | <u>Location</u> |
|---------------------------|--------------------------|-----------------|
| <b><u>REMOVE</u></b>      |                          |                 |
| Cranbury - Half Acre Road | 45,40,35                 | Zones 1,2,3     |
| <b><u>AMEND</u></b>       |                          |                 |
| Cranbury-Half Acre Road   | 35                       | Entire Length   |

**SECTION 2.** All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION 4.** This Ordinance shall take effect twenty days after final passage, adoption and publication according to law.

There was no Public or Council discussion.

As Council Vice President Dalina and Councilwoman Schneider regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE NO., O-6-2016-018 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "VEHICLES AND TRAFFIC"**. (Speed Limit along Cranbury-Half Acre Rd)

|                                       |     |
|---------------------------------------|-----|
| ROLL CALL: Councilman Blaise Dipierro | Aye |
| Councilman Michael Leibowitz          | Aye |
| Councilwoman Elizabeth Schneider      | Aye |
| Council Vice-President Stephen Dalina | Aye |
| Council President Leslie Koppel       | Aye |

Copy of Ordinance Duly Filed.  
O-6-2016-018

**UPON MOTION** made by Council Vice-President Dalina and seconded by Councilwoman Schneider, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE NO., O-6-2016-019 ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE, ENTITLED, "LAND DEVELOPMENT"**. (Mulching)

**ORDINANCE** as follows: (O-6-2016-019)

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Township of Monroe, County of Middlesex, State of New Jersey, that Chapter 108 of the Monroe Township Land Use Ordinance be amended and supplemented as follows:

**SECTION 1.**  
**Chapter 108, Article II, § 108-2.3** "Terms defined" is amended to read as follows:

AGRICULTURE – The production, storage, keeping, harvesting, grading, packaging, processing, boarding or maintenance, for sale, lease, or use of plants and animals useful to humans, including but not limited to: forage and sod crops; grain and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; trees and forest products, **except mulch processing**; fruits of all kinds, including grapes, nuts, and berries; vegetables; nursery, floral, ornamental, and greenhouse products; or lands devoted to a soil conservation or forestry management program.

MULCH – Organic material derived from tree parts used as ground cover.

MULCH PROCESSING – The process by which tree parts are converted into mulch.

MULCH PROCESSING FACILITIES – Areas or sites where tree parts are processed into mulch. Mulch processing facilities may also include wholesale sales space, office space, equipment and vehicles, equipment and vehicle storage, storage of materials associated with processing tree parts into mulch, and mulch.

## **SECTION 2.**

**Chapter 108, Article VI, §108-6.7(D)** “R-3A Residential-Agricultural District” is amended to read as follows:

### **§108-6.7 R-3A Residential-Agricultural District.**

D. Conditional uses requiring a conditional use permit, subject to the provisions of Article VII of this chapter.

- (1) Farm stand or market.
- (2) Parks, playgrounds and other public recreation facilities not operated by Monroe Township.
- (3) Home occupations.
- (4) Nursery, landscaping and horticulture.
- (5) Public utility installations.
- (6) Community residences for the developmentally disabled.
- (7) Satellite antennas.
- (8) **Mulch processing facilities.**

## **SECTION 3.**

**Chapter 108, Article VI, §108-6.27(D)** “RR-FLP Rural Residential – Farmland Preservation District” is amended to read as follows:

### **§108-6.27 RR-FLP Rural Residential-Farmland Preservation District.**

D. Conditional uses requiring a conditional use permit, subject to the provisions of Article VII of this chapter.

- (1) Farm stand or market.
- (2) Parks, playgrounds and other public or private recreation facilities not operated by Monroe Township.
- (3) Annual membership clubs, including country, golf, tennis and swim clubs.
- (4) Quasi-public uses.
- (5) [Repealed 4-7-14 by Ord. No. O-4-2014-004]
- (6) [Repealed 4-7-14 by Ord. No. O-4-2014-004]
- (7) Nursery, landscaping and horticulture.
- (8) Public utility installations.
- (9) Community residences for the developmentally disabled.
- (10) Satellite antennas.
- (11) **Mulch processing facilities.**

## **SECTION 4.**

**Chapter 108, Article VII, §108-7.2** “Standards of approval” is amended to read as follows:

### **§ 108-7.2. Standards of approval.**

A. The following standards and conditions are required to be met in order to receive Approving Authority approval for specific conditional uses as indicated:

- (1) Extended, intermediate and long-term care facilities and hospitals shall adhere to the following:
  - (a) A statement setting forth the need for any particulars on the operation of the structures or use shall be filed with the approving board.
  - (b) The property proposed to be occupied by the use shall have a minimum lot area of five (5) acres, minimum front, rear and side yard areas shall be one hundred (100) feet and the maximum lot coverage shall not exceed twenty-five percent (25%).
  - (c) The height of structures may exceed the maximum height requirements of § 108-6.4 provided, however, that the front, rear and side yard requirements set forth above shall be increased by one (1) foot for each foot by which the height of the structure exceeds the maximum height which would be otherwise permitted by this chapter, and further provided that in no case shall any proposed structure exceed fifty (50) feet in height.

- (2) Fraternal social and civil associations shall adhere to the following:
  - (a) A statement setting forth the need for the use and a complete list of the proposed charter membership, including names and resident addresses shall be filed with the approving board.
  - (b) The proposed use is a bona fide not-for-profit organization operated solely for the recreation and enjoyment of the members of said organization.
  - (c) All regulations for the zoning district in which the use is to be located shall be complied with, except that the minimum lot area shall be not less than three (3) acres. Not more than twenty percent (20%) of the land area shall be covered by structures.
  - (d) No building, structure or active recreation facilities shall be located within one hundred (100) feet of an adjacent residential property line.
  - (e) Parking shall be provided in accordance with the requirements of this chapter.
  - (f) Where parking areas are adjacent to a residential zone or use, a twenty-five (25) foot buffer strip, including fences and shrubs, no less than six (6) feet high shall be provided.
  - (g) A landscape buffer strip twenty (20) feet in width shall be provided along any road frontage, and along any side or rear lot line that abuts a residential zone. The buffer strip shall consist of shade trees, perennial-planting beds, annual flowerbeds or a combination thereof so installed as to provide a landscape buffer between properties per §108-8.1.
  
- (3) Quasi-public uses: churches, synagogues, parish houses and similar religious uses, including parochial and private schools shall adhere to the following:
  - (a) All regulations for the zoning district in which the use is to be located shall be complied with, except that the minimum lot area shall be not less than forty thousand (40,000) square feet, the side yards shall be not less than twenty-five (25) feet each, and all other yard requirements shall be complied with.
  - (b) Parking shall be provided in accordance with the requirements of this Article.
  - (c) Where parking areas are adjacent to a residential zone, a twenty-five (25) foot wide buffer strip, including fences and shrubs, no less than six (6) feet high shall be provided.
  - (d) A landscape buffer strip twenty (20) feet in width shall be provided along any road frontage, and along any side or rear lot line that abuts a residential zone. The buffer strip shall consist of shade trees, perennial-planting beds, annual flowerbeds or a combination thereof, so installed as to provide a landscape buffer between properties per §108-8.1.
  
- (4) Public utility installations. Public utility uses and installations, above and below ground, such as transmission lines, telephone booster stations, gas metering stations, water storage tanks, pumping stations, substations and similar installations, but not service or storage yards, shall provide the municipal agency with the following:
  - (a) A set of plans, specifications and plot plans and a statement setting forth the need and purpose of the installation.
  - (b) Proof is furnished to the municipal agency that the proposed installation in a specific location is necessary and convenient for the efficiency of the public utility system or the satisfactory and convenient provision of service by the utility to the neighborhood or area in which the particular use is to be located, further provided that the design of any building in connection with such facility conforms to the general character of the zone and will in no way adversely affect the safe and comfortable enjoyment of property rights of the zone in which it is located, that adequate and attractive fences and other safety devices will be provided and that sufficient landscaping, including shrubs, trees and lawn, will be provided and periodically maintained.
  - (c) All other requirements for the zone in which the use is to be located shall apply.
  - (d) A landscape buffer strip twenty (20) feet in width shall be provided along any road frontage, and along any side or rear lot line that abuts a residential zone. The buffer strip shall consist of shade trees, perennial-planting beds, annual flowerbeds or a combination thereof so installed as to provide a landscape buffer between properties per §108-8.1.
  - (e) Utility distribution or collection lines for water, gas, sewerage, electric and telephone services which are located in a public street or which provide service to private property in Monroe Township are exempt from this section.



- (5) Nursery, landscaping and horticulture shall adhere to the following:
  - (a) With the exception of landscape plants, shrubs and trees, all materials shall be contained within a fully enclosed building or an enclosure with at least three (3) solid sides with a height of six (6) feet and an opening that is not visible to the public and from adjacent lots viewed from front, side and rear yards, except that open storage and sales areas may be maintained in a side or rear yard, provided that such open storage and sales areas are contiguous to the building and are encircled by a fence or wall of a design which is homogeneous to the adjacent building.
  - (b) A six (6)-foot high solid two-sided fence shall be so designed as to screen all materials and supplies, except plant materials, from public view. All other sections of the fence ordinance shall apply.
  - (c) All regulations for the zoning district in which the use is to be located shall be complied with, except that the minimum lot area shall be not less than five (5) acres, the maximum percentage of impervious lot coverage shall not exceed twenty percent (20%), the maximum floor area ratio shall not exceed ten one-hundredths (0.10), and the maximum gross floor area of the building used for retail sales shall not exceed one thousand (1,000) square feet.
  - (d) Plant materials may be displayed openly in any yard except within required side and rear yard buffers as required by the zoning district in which the use is to be located. Plant material displayed within a front yard shall be set back at least twenty (20) feet from the street right-of-way line.
  - (e) Off-street parking for employees shall be provided at the rate of one (1) space per two (2) employees.
  - (f) Landscaping and horticulture nurseries that have retail sales of landscape plants, shrubs and trees and landscaping materials shall provide off-street parking for patrons at the rate of two (2) spaces per one (1) acre of lot area used for the production of landscape plant material, storage of landscape material and sale of landscaping plants and landscaping materials for retail sales. In addition, one (1) parking space per two hundred fifty (250) square feet of gross floor area of retail building space shall be provided.
  - (g) Trucks and equipment shall be stored in buildings or enclosed by a solid eight (8) foot high fence which shall not be located within a front, side or rear yard setback required by the zoning district in which the use is to be located.
- (6) Swimming pool sales, boat and marine equipment sales, and non-motorized recreation equipment sales shall adhere to the following:
  - (a) All materials shall be contained within a building, except that open storage and sales area may be maintained in a side or rear yard, provided that such open storage and sales areas are contiguous to the building.
  - (b) All other requirements of the zone in which the use is located shall apply.
- (7) Automotive gasoline stations, automotive repair garages, automotive service stations, automotive sales and service facilities shall adhere to the following:
  - (a) Setbacks. Where a yard adjoins a residential property, the commercial use shall maintain not less than a fifty (50) feet setback from the boundary of a residential property.
  - (b) Canopies. A cantilevered cover or canopy may be permitted to extend into the front yard, provided that it is at least thirty (30) feet from any front property line and maintains the required setback of the zone.
  - (c) Curb cuts and driveways.
    - [1] On a corner lot, a driveway shall be at least twenty-five (25) feet from the street intersection as measured along the right-of-way line.
    - [2] Driveways shall be no less than twenty-five (25) feet and no more than thirty (30) feet wide as measured along the right-of-way line. The driveway shall be flared or slanted at the curb line to facilitate auto ingress and egress.
    - [3] Curb cuts shall be no less than ten (10) feet from any adjacent property line extended to the curb line.
    - [4] Any two (2) driveways giving access to a single street shall be separated by a curbed island of at least twenty (20) feet.
    - [5] A raised curb of at least six (6) inches in height shall be provided along the street property lines, except for drive-way openings.
    - [6] There shall not be more than two (2) curb cuts providing access to any one (1) street.

- (d) Signs.
  - [1] Freestanding signs. One (1) free-standing sign shall be permitted, provided that the aggregate area of all sides of the sign shall not exceed forty (40) square feet.
  - [2] Façade signs. Façade signs shall be allowed on front or side façades so as not to exceed ten percent (10%) of the square footage of the façade on which it is located.
  - [3] Other signs. Other signs that may be required by state or federal law shall be allowed, but no other advertising signs shall be permitted.
  - [4] All other sign requirements of this chapter shall apply.
  - [5] In the case of a multi-use facility, only one (1) freestanding sign per facility in total shall be permitted. The placement of individual signs for individual uses shall not be permitted.
- (e) Lighting. All lighting shall be so designed, arranged and installed as to reflect all light down and away from adjoining properties and streets and highways. No strings of multiple lights shall be permitted.
- (f) Pavement. All parking, access and driveway areas shall be paved with a permanent surface, such as macadam, with proper drainage so as not to affect adjacent property owners.
- (g) Location of pumps (automotive gasoline stations and automotive repair garages only). All pump islands shall be a minimum of forty (40) feet from any adjacent property line, fifty (50) feet if a residential zone, and forty (40) feet from any public right-of-way.
- (h) Accessory buildings.
  - [1] All lifts, lubrication equipment, service pits and goods for sale shall be enclosed within the service stations. With the exception of those items, wiper blades, oil and tires, outdoor displays of products for sale or rental shall not be permitted, except for the temporary storage of trash or garbage.
  - [2] Convenience retail sales ancillary to gasoline service stations may be permitted in accessory buildings having a gross floor area that shall not exceed seven thousand (7,000) square feet. All products for sale shall be within the convenience retail building.
- (i) Accessory uses.
  - [1] The sale or rental of cars, trucks, trailers, boats or any other vehicles on the premises of an automotive gasoline station, automotive repair garage, automotive service station, automotive sales and service facility shall be prohibited.
  - [2] The storage of cars, trucks, trailers, boats or any other vehicles not being serviced or repaired on the premises of an automotive gasoline station, automotive repair garage, automotive service station, automotive sales and service facility shall be prohibited.
  - [3] All other activities are prohibited, including trailer or motor vehicle rentals. Storage of any vehicle requiring body work, or which is inoperable because of major repairs required, shall not be permitted, except at an automotive gasoline station, automotive repair garage, automotive service station, automotive sales and service facility.
  - [4] The storage of inoperable vehicles, classified as junk cars, or those not currently registered with the State of New Jersey shall not be permitted.
- (j) Trash and garbage. A solid enclosed area shall be provided for the temporary storage of trash, garbage and unusable automotive parts. Except for tires, all trash shall be stored in tight containers. The enclosed area shall be so designed that the trash shall not be seen from a public street or from adjoining properties.
- (k) Fuel tanks. Underground fuel storage tanks shall comply with all state and federal requirements.
- (l) Landscaping buffers and screening shall be provided as follows:
  - [1] In all zones where the above automotive services are permitted as a conditional use, the following minimum requirements shall be met:
    - [a] A minimum landscaped area twenty (20) feet wide shall be provided along all property lines abutting public streets, except where curb cuts are permitted.
    - [b] All buffers and landscaped areas shall be protected from adjacent parking areas by curbs, or concrete, metal or wood bumpers at least six (6) inches in height and securely anchored into the ground.

- [c] Service areas and parking areas shall be screened from abutting property. A minimum of a six (6) foot high architecturally solid fence shall be erected on all property lines, except the front property line.
    - [d] All street trees and on-site deciduous shade trees shall conform to the requirements of the Monroe Township Shade Tree Commission.
  - (m) Parking. There shall be four (4) parking spaces for each repair bay, plus one (1) space for each employee on the maximum shift, with a maximum of six (6) vehicles stored in public view.
  - (n) Service stations shall be subject to all other requirements of the zone in which they are located and to all laws of the municipality.
  - (o) The use and parking of tow trucks shall be limited to three (3) per automotive service station or automotive sales and service facility or automotive gasoline station and shall be unlimited for an automotive repair garage.
- (8) Car washes shall adhere to the following:
- (a) All other regulations for the district in which the use is to be located shall be complied with, except that the minimum lot area for a car wash shall be not less than eighty thousand (80,000) square feet.
  - (b) Such use shall provide an adequate off-street automobile stacking area which shall not be less than twenty (20) spaces per bay. Such stacking system shall in no way hinder or impair normal traffic flow on adjoining property or public rights-of-way. In addition, one (1) parking space per employee on the maximum shift shall be required.
  - (c) Approval of the Municipal Engineer regarding utilities and drainage and the Department of Health regarding performance standards shall be required.
  - (d) A landscape buffer strip twenty (20) feet in width shall be provided along any road frontage, and along any side or rear lot line that abuts a residential zone. The buffer strip shall consist of shade trees, perennial planting beds, annual flowerbeds or a combination thereof so installed as to provide a landscape buffer between properties per §108-8.1.
- (9) Community residences for the developmentally disabled. Community residences for the developmentally disabled as defined in this Chapter shall adhere to the following:
- (a) A set of building and floor plans, specifications and plot plan shall be submitted to the municipal agency.
  - (b) A statement outlining the proposed use and purpose shall be submitted describing the types of services to be rendered to the residents of the facility, as well as the credentials and training of the personnel to be employed at the facility and the number of individuals who will reside therein.
  - (c) A site plan pursuant to the requirements of this chapter shall be submitted.
  - (d) The structure shall conform to all of the yard, area and height requirements of this chapter.
  - (e) Off-street parking shall be provided in the side or rear yard areas at the rate of one (1) space for each staff member as described above, in addition to one (1) space for each group of three (3) residents, or fraction thereof. Said parking area shall provide a minimum of a ten (10) foot wide buffer area along all adjacent residential property lines.
  - (f) Each resident shall be supplied with a single bedroom of not less than two hundred (200) square feet, and a minimum total living area per resident shall be four hundred (400) square feet. In addition, one (1) bathroom with a toilet, tub, shower and basin shall be provided for each group of two (2) residents, or fraction thereof.
  - (g) In no case shall a community residence for the developmentally disabled be permitted within one thousand five hundred (1,500) feet of another such use or if the number of developmentally disabled and mentally ill persons resident within such facilities in the municipality exceeds fifty (50) persons or five-tenths percent (0.5%) of the municipal population, whichever is greater, or if the granting of such conditional use will cause the number of the developmentally disabled or mentally ill persons resident in such community residences to exceed the aforementioned maximum number for such persons in the municipality.

- (10) Amusement centers. Amusement centers shall adhere to the following:
- (a) A set of building plans and floor plans, including the number of locations of all coin-operated amusement devices, specifications and plot plan shall be submitted to the municipal agency.
  - (b) A site plan pursuant to the requirements of this chapter shall be submitted.
  - (c) Amusement centers shall not be located within five hundred (500) feet of a religious institution, library or school offering courses in public education.
  - (d) Amusement centers shall be operated entirely within an enclosed building and shall be provided with self-closing doors.
  - (e) Not more than two (2) coin-operated amusement devices shall be permitted for each one hundred (100) square feet of gross floor area dedicated to such use.
  - (f) Off-street parking shall be provided at the ratio of one (1) space for each one hundred (100) square feet of gross floor area dedicated to such use.
  - (g) Amusement centers may be established as an accessory activity to a permitted commercial use, except that not more than twenty percent (20%) of the gross floor area may be utilized for such purpose. Where such accessory use is proposed, it shall be physically separated from the principal use by a floor-to-ceiling solid partition.
  - (h) All other requirements of this Article shall apply.

- (11) Commercial recreation activities. Commercial recreation uses and activities, as herein defined, may be permitted in the following manner:

| <b>Use or Activity</b>        | <b>Zone</b> |
|-------------------------------|-------------|
| Miniature golf                | R-60 & R-3A |
| Golf driving ranges           | R-60 & R-3A |
| <br>                          |             |
| Tennis courts                 | R-60 & R-3A |
| Gymnasiums and athletic clubs | H-D         |
| Swimming pools                | H-D         |
| Billiards and pool rooms      | N-C         |

- (a) If proposed as freestanding structures on site it must meet the minimum bulk regulations for the zone in which it is located.
  - (b) Ingress and egress for the parking areas shall be limited to the minimum required to properly handle the volume of traffic anticipated to be attracted by the use. Wherever said driveways are located on a state highway, acceleration and deceleration lanes shall be provided.
  - (c) Wherever the property abuts or is across the street from a residential zone, a buffer area shall be established conforming to the requirements set forth in this chapter.
  - (d) All signs shall conform to permitted signs in commercial zoning districts.
- (12) Satellite antennas shall adhere to the following:
- (a) All satellite antenna installations shall be permitted in all zoning districts subject to the following and shall require a construction permit.
  - (b) Satellite antennas shall be considered an accessory building and shall be located to the rear of the front building line of the principal building.
  - (c) Satellite antennas shall be permitted as ground installations only.
  - (d) Satellite antennas may be installed on lots only where a principal building exists.
  - (e) A maximum of one (1) satellite antenna dish shall be permitted per lot.
  - (f) Only antennas constructed with a wire mesh type dish shall be permitted.
  - (g) The antenna dish shall not exceed twelve (12) feet at its widest point.
  - (h) The overall height of the antenna assembly shall not exceed fifteen (15) feet. This height shall be measured from grade with the dish facing at zero (0) to horizontal.
  - (i) The pedestal base to the antenna shall be located at a distance equal to the maximum overall height of the antenna plus one (1) foot from any side or rear property line.
  - (j) Wiring between the principal building and the antenna shall be underground and at least eighteen (18) inches below finish grade.
  - (k) Antennas shall be screened by fencing or shrubbery of a suitable height to reduce motor drive noise and to minimize the visual impact from the street and the adjacent properties.

- (13) Regional shopping centers shall adhere to the following:
- (a) A minimum lot area of twenty-five (25) acres shall be required and meet all the requirements of Article VI of this chapter.
  - (b) Not more than sixty percent (60%) of impervious surface shall be permitted for any site.
  - (c) Must provide traffic study for internal and external traffic.
  - (d) All proposed retail uses shall conform to the bulk standards of their respective zones.
  - (e) Not more than twenty percent (20%) of the required parking shall be permitted in a front yard. All other requirements of this chapter shall apply.
  - (f) All buildings will have a break in façade at least every forty (40) feet.
  - (g) Landscaping and buffering shall be provided in accordance with the requirements of this chapter.
  - (h) Storm drainage and utilities shall be provided in accordance with the requirements of this chapter.
  - (i) Proposed signs shall be provided in accordance with the requirements of this chapter.
  - (j) Lighting shall be provided in accordance with the requirements of this chapter.
- (14) Community shopping centers shall adhere to the following:
- (a) A minimum lot area of fifteen (15) acres shall be required.
  - (b) A maximum lot area of twenty (20) acres shall be permitted.
  - (c) A minimum lot width and frontage of five hundred (500) feet shall be required.
  - (d) A minimum lot depth of five hundred (500) feet shall be required.
  - (e) The maximum permitted gross floor area shall be 0.30.
  - (f) The maximum permitted impervious coverage of the lot shall be sixty percent (60%).
  - (g) Setback. Where a yard adjoins a residential use or zone, the building, accessory structures and parking and loading areas shall be set back at least sixty-five (65) feet from the property line that forms the boundary with the residential use or zone.
  - (h) Landscape buffer area. A landscape buffer area shall have a width of sixty-five (65) feet for the yard that adjoins a residential use or zone and twenty-five (25) feet for all yards that adjoin nonresidential uses or zones. The design of the buffer area shall comply with requirements set forth in § 108-6.29.H., except for the width of the buffer areas adjoining residential and nonresidential uses and zone as required herein.
  - (i) Not more than twenty percent (20%) of the required parking shall be permitted in a front yard. All other requirements of this chapter shall apply.
  - (j) All buildings shall have a break in the façade at least every forty (40) feet.
- (15) Neighborhood shopping centers shall adhere to the following:
- (a) A minimum lot area of three (3) acres shall be required.
  - (b) A maximum lot area of five (5) acres shall be permitted.
  - (c) A minimum lot width and frontage of five hundred (500) feet shall be required.
  - (d) A minimum lot depth of two hundred (200) feet shall be required.
  - (e) The maximum permitted gross floor area shall be 0.30.
  - (f) The maximum permitted impervious coverage of the lot shall be sixty percent (60%).
  - (g) Setback. Where a yard adjoins a residential use or zone, the building, accessory structures and parking and loading areas shall be set back at least sixty-five (65) feet from the property line that forms the boundary with the residential use or zone.
  - (h) Landscape buffer area. A landscape buffer area shall have a width of sixty-five (65) feet for the yard that adjoins a residential use or zone and twenty-five (25) feet for all yards that adjoin nonresidential uses or zones. The design of the buffer area shall comply with requirements set forth in § 108-6.17.H., except for the width of the buffer areas adjoining residential and nonresidential uses and zone as required herein.
  - (i) Not more than twenty percent (20%) of the required parking shall be permitted in a front yard. All other requirements of this chapter shall apply.
  - (j) All buildings shall have a break in the façade at least every forty (40) feet.

- (16) Farm stands. Farm stands shall adhere to the following:
  - (a) The farm stand must be located on an active farm or farmland.
  - (b) The farm stand requires site plan approval.
  - (c) The farm stand shall comply with all requirements of the zoning district in which it is located.
  
- (17) Home occupations shall adhere to the following:
  - (a) Such uses are confined to not more than twenty-five percent (25%) of the habitable floor area of the principal structure.
  - (b) Not more than two (2) persons shall be employed in the home occupation or trade.
  - (c) The use shall comply with Articles IX and X of this chapter regarding parking and signs.
  - (d) There shall be a ten (10) foot buffer in accordance with Article VIII of this chapter.
  - (e) The use shall obtain site plan approval.
  - (f) The use shall comply with all the requirements of the respective zoning district.
  
- (18) Advertising structures shall adhere to the following:
  - (a) An advertising structure shall be located within one hundred (100) feet of the New Jersey Turnpike right-of-way.
  - (b) The maximum area of the advertising surface shall be one thousand (1,000) feet on each side, its maximum height shall be twenty-five (25) feet and its maximum length shall be sixty (60) feet. All dimensions include border, trim, cutouts and extensions, but exclude decorative bases and supports. The overall height of the sign shall not exceed forty-five (45) feet from grade.
  - (c) The location and design of an advertising structure shall comply with N.J.S.A. 27:5-5 et seq. (P.L. 1991, c.413) entitled "Roadside Sign Control and Outdoor Advertising Act" and N.J.A.C. 16:41C-1.1 et seq. entitled "Chapter 41C, Roadside Sign Control and Outdoor Advertising Act" and any other regulations adopted thereunder.
  - (d) An advertising structure may contain an off-premises advertisement.
  - (e) Billboards shall be located no closer than one thousand (1,000) feet to a residential zone line or use including the PRC or PRGC zone.
  
- (19) Hotels and motor inns shall adhere to the following:
  - (a) A minimum lot area of three (3) acres shall be required.
  - (b) A minimum lot width and frontage of three hundred (300) feet shall be required.
  - (c) A minimum lot depth of three hundred (300) feet shall be required.
  - (d) The maximum permitted gross floor area shall be 0.35.
  - (e) The maximum permitted impervious coverage of the lot shall be sixty percent (60%).
  - (f) Landscape buffer area. The landscape buffer area shall comply with § 108-6.19.H.
  - (g) Signage. One (1) freestanding sign in the form of a monument sign shall be permitted. The maximum height of the sign shall be eight (8) feet, and the maximum area of the sign shall be fifty (50) square feet. The sign shall be set back a minimum of ten (10) feet from the property line.
  - (h) Not more than fifty percent (50%) of the required parking shall be permitted in a front yard. All other requirements of this chapter shall apply.
  
- (20) Cabinet-making shop. Cabinet-making shops shall adhere to the following:
  - (a) A minimum lot area of one (1) acre shall be required.
  - (b) No more than five percent (5%) of the gross floor area of the shop building shall be used for retail sales of cabinets manufactured in the premises of the shop building. Outdoor displays for retail sales are prohibited.
  - (c) Setback. Where a yard adjoins a residential use or zone, the building, accessory structures and parking and loading areas shall be set back at least sixty-five (65) feet from the property line that forms the boundary with the residential use or zone.
  - (d) The maximum permitted floor area ratio shall be 0.30.
  - (e) The maximum permitted impervious coverage of the lot shall be fifty-five percent (55%).

- (f) Landscape buffer area. A landscape buffer area shall have a width of sixty-five (65) feet for the yard that adjoins a residential use or zone and twenty-five (25) feet for all yards that adjoin nonresidential uses or zones. The design of the buffer area shall comply with requirements set forth in § 108-6.17.H., except for the width of the buffer areas adjoining residential and nonresidential uses and zone as required herein and the provision that fences and walls used for screening and noise reduction purposes shall be permitted within the buffer areas for side and rear yards.

(21) Mulch processing facilities. Mulch processing facilities shall adhere to the following:

- (a) Mulch that is fully processed and ready for sale shall be contained within a fully enclosed building or an enclosure with at least three (3) solid sides and an opening that is not visible to the public and from adjacent lots viewed from front, side and rear yards, except that open storage and sales areas may be maintained in a side or rear yard, provided that such open storage and sales areas are contiguous to the building and are encircled by a fence or wall of a design which is homogeneous to the adjacent building.
- (b) A six (6)-foot high, solid two-sided fence shall be so designed as to screen all materials and supplies from public view. All other sections of the fence ordinance shall apply.
- (c) All regulations for the zoning district in which the use is to be located shall be complied with.
- (d) Off-street parking for employees shall be provided at a rate of one (1) space per two (2) employees.
- (e) Trucks and equipment shall be stored in buildings or enclosed by a solid eight (8)-foot high fence, which shall not be located within a front, side or rear yard setback required by the zoning district in which the use is to be located.
- (f) Mulch processing is restricted to the processing of tree parts derived from the processor's own tree service business activities.
- (g) Mulch processing facilities shall comply with all applicable state, county and local rules and regulations, including all state, county and local regulations regarding the storage and use of hazardous substances, including but not limited to safe and secure containment of chemicals and dyes. The municipal zoning official shall have the authority to enforce any violation of any state, county or local regulation as a zoning violation, including but not limited to regulations regarding the storage and use of hazardous substances.
- (h) Mulch processing facilities shall only process mulch between the hours of 8:00 a.m. and 6:00 p.m. Monday through Friday, and no mulch processing shall occur on Saturdays, Sundays and legal holidays.
- (i) Mulch processing facilities that are exempt from obtaining approval from the Department of Environmental Protection shall limit their mulch processing operations as follows:
  - (i) Only the amount of unprocessed material which the equipment on-site or as may be readily available is capable of processing within a one-week period up to a maximum of 7,500 cubic yards may be stored on-site;
  - (ii) Storage of material on-site shall not exceed one year;
  - (iii) Storage of processed material on-site shall not exceed 7,500 cubic yards; and
  - (iv) Processing is limited to four times per year, and each processing event shall be limited to a two-week time period, unless prior approval is received from the Township.

- (v) **Mulch Processing Facilities shall be responsible for keeping a log indicating the dates and hours of mulch processing at the facility, which information shall be reported to the municipal zoning official on the first day of the month following a month when mulch processing has been conducted at the facility.**

**SECTION 5.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 6.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION 7.** This Ordinance shall take effect upon final passage and publication as provided by law.

**SO ORDAINED** as aforesaid.

There was no Public or Council discussion.

As Council Vice President Dalina and Councilwoman Schneider regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE NO., O-6-2016-019 ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE, ENTITLED, "LAND DEVELOPMENT"**. (Mulching)

|            |                                       |     |
|------------|---------------------------------------|-----|
| ROLL CALL: | Councilman Blaise Dipierro            | Aye |
|            | Councilman Michael Leibowitz          | Aye |
|            | Councilwoman Elizabeth Schneider      | Aye |
|            | Council Vice-President Stephen Dalina | Aye |
|            | Council President Leslie Koppel       | Aye |

Copy of Ordinance Duly Filed.  
O-6-2016-019

**UPON MOTION** made by Council Vice-President Dalina and seconded by Councilwoman Schneider, an Ordinance of which the following is the title was moved on second reading for final passage: **O-6-2016-020 ORDINANCE PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION IN AN AMOUNT NOT TO EXCEED \$175,000 TO FUND THE PREPARATION OF AN UPDATE TO THE TOWNSHIP'S MASTER PLAN.**

**ORDINANCE** as follows: (O-6-2016-020)

**BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY** (not less than the majority of all members thereof affirmatively concurring) AS FOLLOWS:

**SECTION 1.** N.J.S.A. 40A:4-53 provides that a local unit such as the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Township") may adopt an ordinance authorizing a special emergency appropriation for the preparation of a master plan (the "Master Plan") for the Township and updates thereto.

**SECTION 2.** The Township has determined and does hereby authorize a special emergency appropriation in an amount not to exceed \$175,000 to fund the preparation of an update to the Township's Master Plan.

**SECTION 3.** To finance the appropriation authorized hereunder, and described in Section 2 hereof, special emergency notes of the Township (the "Notes") shall be authorized by a resolution of the Township Council to be adopted in accordance with the provisions of N.J.S.A. 40A:4-55.

**SECTION 4.** A certified copy of this ordinance as finally adopted will be filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs.



**SECTION 5.** This ordinance shall take effect immediately after final adoption and approval by the Mayor as described in N.J.S.A. 40:49-2.  
Council President Koppel opened the Public Hearing to Council and Public discussion of this Ordinance.

**Hy Grossman**, Doral Drive – asked where the money was coming from for the changes in the Master Plan and Affordable Housing Trust. Mr. Hamilton explained the two different funding sources. One source is a five year special emergency appropriation where funds are raised for professional fees over a five year period. The second source, which will be the large portion of work being done will come from the Affordable Housing Trust. Mr. Grossman asked the amount that now exists in the trust. Mr. Hamilton did not know the amount but would have it by the next meeting.

**Michele Armenio**, 9 Nathaniel St. – confirmed that \$175,000. would be going towards professional fees within the next five years. Mr. Hamilton confirmed that this was correct. It is a “one time” incurred amount. She then asked why these fees could not be covered under general obligations under the professionals’ contracts. Mr. Hamilton explained that this the normal way you would fund a Master Plan update. She stated that since there is always updates to the Master Plan, why is this not included in the contractual agreements between the professionals. Council President Koppel explained. She then asked why there was not a public hearing for the separate resolutions. Mr. Hamilton explained that when the Township Planner, Mr. Remsa speaks, you will see how the Affordable Housing court settlement interfaces with the Master Plan and the updates.

As Council Vice President Dalina and Councilwoman Schneider regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **O-6-2016-020 ORDINANCE PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION IN AN AMOUNT NOT TO EXCEED \$175,000 TO FUND THE PREPARATION OF AN UPDATE TO THE TOWNSHIP’S MASTER PLAN.**

|                                       |     |
|---------------------------------------|-----|
| ROLL CALL: Councilman Blaise Dipierro | Aye |
| Councilman Michael Leibowitz          | Aye |
| Councilwoman Elizabeth Schneider      | Aye |
| Council Vice-President Stephen Dalina | Aye |
| Council President Leslie Koppel       | Aye |

Copy of Ordinance Duly Filed.  
O-6-2016-020

**UPON MOTION** made by Councilman Leibowitz and seconded by Vice-President Dalina, an Ordinance of which the following is the title was moved on second reading for final passage: **O-6-2016-021 BOND ORDINANCE PROVIDING FOR VARIOUS 2016 WATER AND SEWER UTILITY IMPROVEMENTS BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$4,035,000 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF \$4,035,000 BONDS OR NOTES TO FINANCE THE COST THEREOF.**

**ORDINANCE** as follows: (O-6-2016-021)

**BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

**SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Water and Sewer Utility of the Township of Monroe, in the County of Middlesex, State of New Jersey (the “Township”) as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the principal amount of \$4,035,000 from the Water and Sewer Utility of the Township. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), no down payment is required as the Water and Sewer Utility is self-liquidating.

**SECTION 2.** For the financing of said improvement or purpose described in Section 3 hereof and to meet the \$4,035,000 appropriation, negotiable bonds of the Water and Sewer Utility of the Township are hereby authorized to be issued in the principal amount of \$4,035,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Water and Sewer Utility

of the Township in a principal amount not exceeding \$4,035,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**SECTION 3. (a)** The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued, include but are not limited to, various water improvements including, but not limited to, improvements to the Scada system, storage tanks and the interconnection with Spotswood and New Main Loop Hoffman Road; change-outs of residential meters; well improvements including, but not limited to, improvements to well #26; improvements to pump stations; and sewer manhole/PRV upgrades.

**(b)** All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Township and available for public inspection and hereby approved.

**(c)** The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$4,035,000.

**(d)** The estimated cost of said improvements or purposes is \$4,035,000.

**SECTION 4.** In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The capital budget of the Water and Sewer Utility of the Township is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs will be on file in the Office of the Clerk and will be available for public inspection.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

**(a)** The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Water and Sewer Utility of the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 19.69 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Water and Sewer Utility of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$4,035,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$735,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

**SECTION 8.** Unless paid from other sources, the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$4,035,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

**SECTION 10.** The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

**SECTION 11.** This bond ordinance shall take effect twenty (20) days after final adoption, and approved by the Mayor, as provided by the Local Bond Law.

Council President Koppel opened the Public Hearing to Council and Public discussion of this Ordinance.

**Michele Arminio**, 9 Nathaniel St. – asked the total amount of the debt. Mr. Hamilton responded \$4,035,000. of new capital improvements to be initiated this year for the water & sewer department. She asked if this was going to be a bond. Mr. Hamilton confirmed it will be a bond. She then asked if there was a total amount of debt for the water and sewer department. Mr. Hamilton did not have the break out for water and sewer, but will get the amount for her. She asked the total amount of bonding cost. Mr. Hamilton stated that all bonding that has been done, this included, is less than 1% of the average of the ratable base.

As Councilman Leibowitz and Council Vice President Dalina regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **O-6-2016-021 BOND ORDINANCE PROVIDING FOR VARIOUS 2016 WATER AND SEWER UTILITY IMPROVEMENTS BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$4,035,000 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF \$4,035,000 BONDS OR NOTES TO FINANCE THE COST THEREOF.**

|                                       |     |
|---------------------------------------|-----|
| ROLL CALL: Councilman Blaise Dipierro | Aye |
| Councilman Michael Leibowitz          | Aye |
| Councilwoman Elizabeth Schneider      | Aye |
| Council Vice-President Stephen Dalina | Aye |
| Council President Leslie Koppel       | Aye |

Copy of Ordinance Duly Filed.  
O-6-2016-021

**UPON MOTION** made by Councilwoman Schneider and seconded by Vice-President Dalina, an Ordinance of which the following is the title was moved on second reading for final passage: **O-6-2016-022 BOND ORDINANCE PROVIDING FOR VARIOUS 2016 CAPITAL IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$4,239,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$300,000) AND AUTHORIZING THE ISSUANCE OF \$3,778,100 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.**

**ORDINANCE** as follows: (O-6-2016-022)

**BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

**SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$4,239,000, said sum being inclusive of a grant in the amount of \$300,000 (the "Grant") received or expected to be received from the New Jersey Department of Transportation and the sum of \$160,900 as the aggregate amount of down payments for said improvements or purposes as required by the Local Bond Law, N.J.S.A. §40A:2-1 et seq. (the "Local Bond Law"). The aggregate down payments are now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

**SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$4,239,000 appropriation not provided for by application hereunder of the Grant or said down payments, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount not exceeding \$3,778,100 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$3,778,100 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

**SECTION 3. (a)** The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, the following:

| <u>Description</u>  | <u>Appropriation</u>                         | <u>Debt Authorization</u> | <u>Down Payment</u> | <u>Useful Life</u> |
|---|--|---------------------------|---------------------|--------------------|
| (i) Acquisition of a collection of library books for general circulation and deposit in and for use by the Township free public library, a lawful public purpose;   | \$150,000                                    | \$142,800                 | \$7,200             | 5 years            |
| (ii) Various roadway, sidewalk and drainage improvements to Spotswood Avenue and Ellingham in the Township, all such improvements including but not limited to, as applicable, milling, paving, reconstruction and resurfacing the roadways, the repairing and/or installation of curbs, sidewalks, driveway aprons, retaining walls and curb ramps, drainage work, concrete improvements, site work, clearing, tree removal, roadway painting, landscaping and other aesthetic improvements;                             | \$875,000<br>(including the \$300,000 Grant) | \$575,000                 | \$0                 | 15 years           |
| (iii) Drainage GIS mapping for the Township;  | \$75,000                                     | \$71,400                  | \$3,600             | 7 years            |
| (iv) Preliminary planning for the Police and EMS Building for the Township;   | \$600,000                                    | \$571,100                 | \$28,900            | 5 years            |
| (v) Various recreation improvements including, but not limited to, improvements to the Daniel Ryan Field restrooms and to the gymnasium floor;  | \$145,000                                    | \$138,000                 | \$7,000             | 10 years           |
| (vi) Various traffic and intersection improvements at the intersection of Matchaponix / Pergola Avenue at Spotswood-Gravel Hill Road in the Township, including but not limited to, improvements to bring such intersection into compliance with the Americans with Disabilities Act, the installation of a traffic signal, including, but not limited to, as required, removal and replacement of, as applicable, sidewalks, concrete curbing, curb ramps, driveway aprons, regrading, landscaping, excavation, pavement | \$1,850,000                                  | \$1,761,900               | \$88,100            | 15 years           |

| <u>Description</u>   | <u>Appropriation</u> | <u>Debt Authorization</u> | <u>Down Payment</u> | <u>Useful Life</u> |
|--|----------------------|---------------------------|---------------------|--------------------|
| striping, installation of traffic calming devices, resetting manholes and inlets, drainage improvements, and various other curb, sidewalk and roadway maintenance;   |                      |                           |                     |                    |
| (vii) The acquisition and installation of lighting in the library parking lot;   | \$400,000            | \$380,900                 | \$19,100            | 7 years            |
| (viii) The repair of various concrete sidewalks and curbs throughout the Township, including but not limited to, the removal or repair, as applicable, of the existing concrete and the replacement with new concrete sidewalks and curbing; and | \$110,000            | \$104,700                 | \$5,300             | 10 years           |
| (ix) The acquisition of a heavy truck lift.  | \$34,000             | \$32,300                  | \$1,700             | 10 years           |
| TOTALS   | <u>\$4,239,000</u>   | <u>\$3,778,100</u>        | <u>\$160,900</u>    | 11.78 years        |

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$3,778,100.

(c) The aggregate estimated cost of said improvements or purposes is \$4,239,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the Grant and the aggregate amount of the down payments available for said purposes.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, consulting, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Township and available for public inspection and hereby approved.

**SECTION 4.** Except for the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. Except for the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes

shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, is on file in the Office of the Clerk of the Township and is available for public inspection.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 11.78 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$3,778,100 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$1,238,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

**SECTION 8.** The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$3,778,100. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any

bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

**SECTION 10.** The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

**SECTION 11.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law. Council President Koppel opened the Public Hearing to Council and Public discussion of this Ordinance.

**Michelle Arminio**, 9 Nathaniel St. – asked what the consequences are if the Grant was not received. Mr. Hamilton explained that we received a letter of commitment by the State of New Jersey stating that we would be receiving \$300,000. in grant money. That is all we get until the project is closed out. She asked the expenditures. Mr. Hamilton named the four major improvement projects.

As Councilwoman Schneider and Council Vice President Dalina regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **O-6-2016-022 BOND ORDINANCE PROVIDING FOR VARIOUS 2016 CAPITAL IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$4,239,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$300,000) AND AUTHORIZING THE ISSUANCE OF \$3,778,100 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.**

|            |                                       |     |
|------------|---------------------------------------|-----|
| ROLL CALL: | Councilman Blaise Dipierro            | Aye |
|            | Councilman Michael Leibowitz          | Aye |
|            | Councilwoman Elizabeth Schneider      | Aye |
|            | Council Vice-President Stephen Dalina | Aye |
|            | Council President Leslie Koppel       | Aye |

Copy of Ordinance Duly Filed.  
O-6-2016-022

**UPON MOTION** made by Councilwoman Schneider and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was introduced on first reading for final passage: **O-7-2016-023 ORDINANCE AUTHORIZING THE ACQUISITION OF A CERTAIN PARCEL OF LAND FOR OPEN SPACE LOCATED AT BARRYMORE DRIVE AND APPEARING ON THE OFFICIAL TAX MAPS AS BLOCK 77, PORTIONS OF LOTS NOS. 2.3 AND 2.3Q FARM A/K/A PROPOSED LOT 2.47.**

|            |                                       |     |
|------------|---------------------------------------|-----|
| ROLL CALL: | Councilman Blaise Dipierro            | Aye |
|            | Councilman Michael Leibowitz          | Aye |
|            | Councilwoman Elizabeth Schneider      | Aye |
|            | Council Vice-President Stephen Dalina | Aye |
|            | Council President Leslie Koppel       | Aye |

Copy of Ordinance Duly Filed.

**UPON MOTION** made by Council Vice President Dalina and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was introduced on first reading for final passage: **O-7-2016-024 ORDINANCE REPEALING, REPLACING AND AMENDING CERTAIN PROVISIONS OF CHAPTER 131-1 ET SEQ., OF THE AFFORDABLE HOUSING ORDINANCE OF THE TOWNSHIP OF MONROE TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS.**

|            |                                       |     |
|------------|---------------------------------------|-----|
| ROLL CALL: | Councilman Blaise Dipierro            | Aye |
|            | Councilman Michael Leibowitz          | Aye |
|            | Councilwoman Elizabeth Schneider      | Aye |
|            | Council Vice-President Stephen Dalina | Aye |
|            | Council President Leslie Koppel       | Aye |



Copy of Ordinance Duly Filed.

**UPON MOTION** made by Council Vice President Dalina and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was introduced on first reading for final passage:**O-7-2016-025 ORDINANCE ACKNOWLEDGING MONROE TOWNSHIP'S ACCEPTANCE OF THE TRAFFIC CONTROL SIGNAL LOCATED AT THE INTERSECTION OF COUNTY ROUTE 522 (a/k/a BUCKLEW AVENUE) AND COUNTY ROUTE 613 (a/k/a SPOTSWOOD-ENGLISHTOWN ROAD).**

|                                       |     |
|---------------------------------------|-----|
| ROLL CALL: Councilman Blaise Dipierro | Aye |
| Councilman Michael Leibowitz          | Aye |
| Councilwoman Elizabeth Schneider      | Aye |
| Council Vice-President Stephen Dalina | Aye |
| Council President Leslie Koppel       | Aye |

Copy of Ordinance Duly Filed.

**UPON MOTION** made by Council Vice President Dalina and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was introduced on first reading for final passage:**O-7-2016-026 ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE, ENTITLED "LAND DEVELOPMENT".**

- Create a Residential Age-Restricted AH District**
- Create a Highway Development-Residential AH District**
- Create a Planned Office Commercial Development Age-Restricted AH District**
- Create a Mixed-Use Highway Development Residential AH District**

**Mayor Tamburro** – requested Mr. Remsa, Planning Board Planner and Atty. Convery, Planning Board Attorney, to give the Council and Public an overview of this Ordinance and its' amendment to Chapter 108.

**Attorney Convery** explained the (4) four new zones and how it relates to the settlement agreement and phasing as follows:

- 1. HD-R-AH Highway Development – Residential Affordable Housing District**  
This new zone was created in accordance with our Settlement Agreement with intervenor Monroe 33. This zoning ordinance confirms that the maximum number of market dwelling units is 120. The maximum number of affordable housing units is 30. The construction phasing of market units and affordable units will be in accordance with State phasing requirements which are incorporated into this ordinance.
- 2. POCD-AR-AH Planned Office Commercial Development Age-Restricted Affordable Housing District**  
This zone was created to allow for age-restricted affordable dwelling units are the JSM Applegarth property. The maximum amount of age-restricted market dwelling units is 109. The maximum amount of age-restricted affordable dwelling units is 33. This is in accordance with the number established for JSM Applegarth in the master chart attached to the Settlement Agreement as Exhibit A, which was previously provided to and approved by the Township Council and the Planning Board. The construction phasing of market to affordable units is based on State requirements and is specifically included in the ordinance.
- 3. PRD-AH-AR Residential Age-Restricted Affordable Housing District**  
This new zone was created in accordance with the Settlement Agreement, specifically with intervenor Countryside Developers. Countryside will build 53 inclusionary age-restricted affordable dwelling units, and a maximum amount of market-rate dwelling units not to exceed 213 units, which will have a limit of two (2) bedrooms per unit and a prohibition of converting basements, dens, offices, lofts and other non-bedroom space into a new bedroom. The phasing of market to affordable dwelling units shall be in accordance with State regulations and is specifically required by this ordinance.
- 4. MU-HD-R-AH Mixed-Use Highway Development Residential Affordable Housing District**  
This ordinance has been created to govern the building of a mix of highway commercial uses, market-priced housing and affordable housing units on property under the control of JSM at Route 33 South. The inclusionary housing in this zone shall consist of 113 affordable dwelling units, which shall be deed-restricted to prohibit conversion of basements, dens, lofts and other non-bedroom space to a new bedroom. The maximum

amount of market-rate units in this zone shall not exceed 1,273 units. Moreover, the development in this zone shall be linked and phased with the development of a 100% affordable project that consists of 100 dwelling units, which will be developed on Block 53, part of Lot 24, and a 100% affordable project consisting of 171 affordable dwelling units which will be developed on Block 6, Lots 12.06, 15.01, 23.01 and 27.01. This requirement of construction and phasing of the two 100% affordable projects by JSM at Route 33 South is consistent with the previous court settlement with JSM regarding the Celebrations project and the JSM Route 33 North project, and will assure that the two 100% affordable projects get built in a timely fashion. The total number of market-rate units in the MU-HD-R-AH District shall not exceed 1,273 units. With the construction of 113 inclusionary affordable units in this zone, the total number of dwelling units shall not exceed 1,386 units.

**Mark Remsa, Planning Board Planner** – commented on the JSM South Zone. This zone includes phasing with commercial development. Requirements are made to build certain amounts of commercial development as housing is developed.

**Atty. Convery, Board Attorney** stated that there are five resolutions on the agenda for Affordable Housing. Council is being requested to pass or approve the “spending plan”. The spending plan allows the town to use its’ Affordable Housing Trust Fund money for administration, to supplement rents, and to do rehabs. A spending plan is needed which is then approved by the court. We have approximately \$13 million dollars in the Affordable Housing Trust Fund.

**Mr. Remsa, Planning Board Planner** noted that 100% affordable housing project for 37 units for veterans and their families would be provided. This construction would be funded in its’ entirety. K. Hovnanian has been required to provide the property once they have completed the improvements to that property.

**Atty. Convery, Board Attorney** feels the most important resolution is the resolution approving the Housing Element and Fair Share Plan of the Monroe Township Master Plan. This is what needs to be approved by the court to insulate us from a “builders remedy”. This plan has been accepted by the Township Planning Board. It was then referred to Council because there is a fair share plan that must be approved by the Township Council. He recommends the approval so that they can go to the Judge on August 15<sup>th</sup> where we will have a compliance hearing. The approved resolution and the entire packet will then be submitted to the Court Master who works on behalf of the Court. The entire packet will be reviewed and it will be determined if we are ready to get “substantive certification” from the court. He anticipates that we will get this approval by the court. The numbers negotiated are extremely favorable to the town. He recommends approval of the “Housing Element and Fair Share Plan” this evening.

Council President Koppel asked to speak about “builders remedy” and some of the ramifications.

**Mr. Remsa, Planning Board Planner** explained that “substantive certification” is where the court will say, you have done everything reasonable to insure that you have a “fair share plan” to assist low and moderate income families in getting decent housing. It includes a rehab program and a down payment assistance loan. In order for all this to be done, the court has to review the plan and say, “this is approved. You are compliant”. It should be for a period of 10 years. Once we have approval for a ten year period, we are insulated from a builders remedy. We have reached a fair plan that aids affordable housing families with Monroe 33 & Countryside. If we get approval on August 15<sup>th</sup>, we are insulated for a 10 year period from anybody else suing us. The housing plan also reflects the locations where the town has decided to locate affordable housing.

**Mayor Tamburro** added that Mr. Remsa made a few points at the Planning Board Meeting that were not brought forward this evening.

1. Bonus credits that we receive from Monroe 33.
2. Staging besides the staging for market rate and affordable with the commercial.
3. The caveat that is in our agreement with the court that if someone gets something better, we can go back and re-negotiate.

**Mr. Remsa, Planning Board Planner** explained bonus credits which we are allowed up to 25% of your overall number (283 credits) meaning you do not build those 283. You are building 850 affordable housing units and then of the 850, 283 are age restricted affordable which lessens the impact on the school system. He next explained the “staging for market rate and affordable with the commercial” as in Monroe 33 South and Celebrations. Finally, the caveat in our Court

agreement - the agreement is that at the end of the affordable housing issue and it turns out that Monroe numbers are less than the 1133 by 20%; Monroe will have the benefit of getting all those credits and in the future will not have to build those additional units. The gap period was explained. The gap number for Monroe was 600 which was determined by the Fair Share Housing Group and through negotiation Judge Wolfson settled it at 399 which was a fair number for prior obligation.

**Mayor Tamburro** questioned the “build out” period of time.

**Mr. Remsa** responded (30) thirty years. There are three tranches:

- 2015 to 2025 = 133
- 2025 to 2035 = 133
- 2035 to 2045 = 133

**Councilwoman Schneider** recommended getting this number out to the public.

**Mr. Remsa, Planning Board Planner** noted that these figures have been given to the Board of Education. He also mentioned that some of the large projects have not even been before the Planning Board and often take years in getting there permits from various agencies. Mr. Remsa also mentioned that there are two required components under the Master Plan. They are the “Land Use Element” which is the basis of your zoning and the “Affordable Housing Component”, which is the affordable housing fair share plan. The Affordable Housing Element is being funded through the process of the development fee ordinance that is collected from residential and non-residential developers. The Land Use Plan Element tackles issues beyond Affordable Housing.

**Mr. Hamilton** added that they were hoping that they could fund the “five year special emergency” by taking the entire amount from the Affordable Housing Trust, thereby, not creating the budget impact of \$175,000 over the next 5 years. He was advised by the Township Attorney that the town could not do this because of the split components of the Land Use Plan Element and the Affordable Housing Element.

|                                       |     |
|---------------------------------------|-----|
| ROLL CALL: Councilman Blaise Dipierro | Aye |
| Councilman Michael Leibowitz          | Aye |
| Councilwoman Elizabeth Schneider      | Aye |
| Council Vice-President Stephen Dalina | Aye |
| Council President Leslie Koppel       | Aye |

Copy of Ordinance Duly Filed.

Council President stated that there are resolutions for review under the consent agenda. Please review.

**Council President Koppel** asked Mr. Hamilton to explain resolution R-7-2016-265.

Mr. Hamilton stated it would be most cost effective to have our Arborist do the inventory of ash trees within the Township that are possibly affected by the emerald ash borer. His contract will be amended.

**Councilwoman Schneider** questioned R-7-2016-239 the change order for the emergency generator for the senior center.

Mr. Hamilton explained that this is the final close-out change order for the senior center ending with a \$13,819. decrease in the overall contract.

**UPON MOTION** made by Councilman Leibowitz and seconded by Council Vice-President Dalina, the following entitled Resolutions were moved for adoption under the **CONSENT AGENDA**, as herein below set forth:

|                                       |     |
|---------------------------------------|-----|
| ROLL CALL: Councilman Blaise Dipierro | Aye |
| Councilman Michael Leibowitz          | Aye |
| Councilwoman Elizabeth Schneider      | Aye |
| Council Vice-President Stephen Dalina | Aye |
| Council President Leslie Koppel       | Aye |

**RESOLUTIONS** adopted under **CONSENT AGENDA** are as follows:

- R-7-2016-219      **RESOLUTION AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 SUBMITTED BY KENNEDY CULVERT SUPPLY CO. IN CONNECTION WITH CONTRACT 442, "WATER AND SEWER SYSTEM APPURTENANCES" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- R-7-2016-220      **RESOLUTION AUTHORIZING MODIFICATION #1 TO A PROFESSIONAL SERVICES CONTRACT WITH H2M ASSOCIATES, INC. FOR ADDITIONAL ENGINEERING SERVICES FOR MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- R-7-2016-221      **RESOLUTION AUTHORIZING MODIFICATION #2 TO A CONTRACT WITH O'BRIEN & GERE ENGINEERING, INC. FOR PUMP STATION NOS. 4,9 & 10 UPGRADES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- R-7-2016-222      **RESOLUTION AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE UPON THE POSTING OF A MAINTENANCE GUARANTEE WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR W&S 1126 – HOMETECH HOMES, LLC, BLOCK 18, LOT 8.04.**
- R-7-2016-223      **RESOLUTION AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE UPON THE POSTING OF A MAINTENANCE GUARANTEE WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR W&S 1139 – HOMETECH HOMES, LLC, BLOCK 49, LOT 12.**
- R-7-2016-224      **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO B & H CONTRACTING, INC. FOR CONTRACT 450 "PRV REMOVAL AND LEGENDS DRIVE PRV CHAMBER" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- R-7-2016-225      **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO KMETZ, INC. FOR CONTRACT 449 "STATE STREET WATERMAIN STREAM CROSSING" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- R-7-2016-226      **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO J. FLETCHER CREAMER & SON, INC. FOR CONTRACT 455 "SYSTEM REPAIR SERVICES" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- R-7-2016-227      **RESOLUTION AUTHORIZING SPECIAL EMERGENCY NOTES IN AN AMOUNT NOT TO EXCEED \$175,000 TO FUND THE PREPARATION OF AN UPDATE TO THE TOWNSHIP'S MASTER PLAN.**
- R-7-2016-228      **RESOLUTION AUTHORIZING EXTENSION OF CONTRACT WITH FIRST CHOICE VENDING FOR VENDING MACHINES LOCATED WITHIN THE MUNICIPAL BUILDINGS.**
- R-7-2016-229      **RESOLUTION AUTHORIZING EXTENSION OF CONTRACT WITH JAFFE COMMUNICATIONS, INC. FOR THE MONROE TOWNSHIP PUBLICATION.**
- R-7-2016-230      **RESOLUTION AUTHORIZING EXTENSION OF CONTRACT WITH JAMESBURG PRESS FOR MONROE TOWNSHIP PRINTING SERVICES (GROUP A & B).**
- R-7-2016-231      **RESOLUTION AUTHORIZING EXTENSION OF CONTRACT WITH MGL PRINTING SOLUTIONS FOR MONROE TOWNSHIP PRINTING SERVICES (GROUP C).**
- R-7-2016-232      **RESOLUTION AUTHORIZING EXTENSION OF CONTRACT WITH DOT DESIGNING, LLC. FOR MONROE TOWNSHIP SHIRTS AND HATS.**

- R-7-2016-233 RESOLUTION PROVIDING TOWNSHIP COUNCIL ADVICE AND CONSENT TO THE APPOINTMENT OF MUNICIPAL COURT JUDGE.
- R-7-2016-234 RESOLUTION AUTHORIZING REFUND OF PLANNING BOARD APPLICATION FEES FOR BLOCK 82, LOT 2 (PB-1128-13).
- R-7-2016-235 RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND.
- R-7-2016-236 RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.
- R-7-2016-237 RESOLUTION REFUNDING TAX OVERPAYMENTS.
- R-7-2016-238 RESOLUTION AUTHORIZING PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE IN REM TAX FORECLOSURES AS EXTRAORDINARY LITIGATION.
- R-7-2016-239 RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NO. 2 AND FINAL SUBMITTED BY FAI-GON ELECTRIC, INC. IN CONNECTION WITH THE EMERGENCY GENERATOR FOR THE SENIOR CENTER.
- R-7-2016-240 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO BRENNER DRAINAGE & EXCAVATING, INC. FOR THE DEMOLITION OF 146 & 148 PROSPECT PLAINS ROAD.
- R-7-2016-241 RESOLUTION AUTHORIZING AWARD OF BID TO QUALITY 1<sup>ST</sup> CONTRACTING FOR CONCRETE IMPROVEMENTS TOWNSHIP WIDE.
- R-7-2016-242 RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AN AFFORDABLE HOUSING UNIT LOCATED AT BLOCK 14, LOT 12.51, UNIT 0337.
- R-7-2016-243 RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AN AFFORDABLE HOUSING UNIT LOCATED AT BLOCK 14.11, LOT 1.
- R-7-2016-244 RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AN AFFORDABLE HOUSING UNIT LOCATED AT BLOCK 1.14, LOT 65.1.
- R-7-2016-245 RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AN AFFORDABLE HOUSING UNIT LOCATED AT BLOCK 14, LOT 12.51.
- R-7-2016-246 RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY MONROE PROPERTY INVESTMENT LLC/A-OK AUTO FOR BA-5047-11.
- R-7-2016-247 RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY HALECON, INC. IN CONNECTION WITH THE THOMAS L. ALLEN SOFTBALL COMPLEX PATHWAY IMPROVEMENTS.
- R-7-2016-248 RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING OF A MAINTENANCE GUARANTEE BY HALECON, INC. FOR THE THOMAS L. ALLEN SOFTBALL COMPLEX IMPROVEMENTS.

- R-7-2016-249 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO J. FLETCHER CREAMER & SON FOR GUARDRAIL REPAIRS AT TRACY STATION ROAD AND FEDERAL ROAD.
- R-7-2016-250 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO SF SYSTEMS CORPORATION FOR GUARDRAIL REPAIRS AT 45 WYCKOFF MILLS ROAD AT HALSEY REED ROAD.
- R-7-2016-251 RESOLUTION APPROVING THE 2015 - 2025 AFFORDABLE HOUSING TRUST FUND SPENDING PLAN.
- R-7-2016-252 RESOLUTION AUTHORIZING AND APPROVING AN 'AFFIRMATIVE MARKETING PLAN'.
- R-7-2016-253 RESOLUTION APPROVING THE HOUSING ELEMENT AND FAIR SHARE PLAN OF THE MONROE TOWNSHIP MASTER PLAN.
- R-7-2016-254 RESOLUTION INDICATING THE TOWNSHIP'S INTENT TO COMMIT TO FUND THE REMAINING 104-UNIT THIRD ROUND AFFORDABLE HOUSING REHABILITATION OBLIGATION IF OTHER FUNDS ARE NOT AVAILABLE.
- R-7-2016-255 RESOLUTION INDICATING THE TOWNSHIP'S INTENT TO COMMIT TO FUND MUNICIPALLY SPONSORED / ONE-HUNDRED PERCENT AFFORDABLE PROJECTS IN ITS THIRD ROUND AFFORDABLE HOUSING OBLIGATION IF OTHER FUNDS ARE NOT AVAILABLE.
- R-7-2016-256 RESOLUTION AUTHORIZING THE EXECUTION OF THE FOURTH ADDENDUM TO THE INTERSECTIONS IMPROVEMENT AGREEMENT BY AND BETWEEN THE COUNTY OF MIDDLESEX, THE TOWNSHIP OF MONROE AND TOLL II, L.P.
- R-7-2016-257 RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE POSTED FOR ROAD OPENING PERMIT NO. 15-10.
- R-7-2016-258 RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE THE MATTER OF TOWNSHIP OF MONROE v. BLACK ROCK ENTERPRISES, LLC ET AL. AS EXTRAORDINARY LITIGATION.
- R-7-2016-259 RESOLUTION PROVIDING ADVICE AND CONSENT TO THE APPOINTMENT OF ALTERNATE MUNICIPAL PROSECUTOR.
- R-7-2016-260 RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AN AFFORDABLE HOUSING UNIT LOCATED AT BLOCK 14, LOT 12.5.
- R-7-2016-261 RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AN AFFORDABLE HOUSING UNIT LOCATED AT BLOCK 14.11, LOT 1.
- R-7-2016-262 RESOLUTION DEMONSTRATING COMPLIANCE WITH REGULATIONS OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY REGARDING THE 2015 ANNUAL AUDIT.
- R-7-2016-263 RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BY AND BETWEEN THE MIDDLESEX COUNTY DIVISION OF SOLID WASTE MANAGEMENT AND THE TOWNSHIP OF MONROE FOR THE DISPOSAL OF PAINT AND PAINT RELATED PRODUCTS.
- R-7-2016-264 RESOLUTION AUTHORIZING THE REJECTION OF BIDS RECEIVED FOR THE CEDAR BROOK POND PUMP STATION IMPROVMENTS AND RE-ADVERTISING FOR RECEIPT OF BIDS.

**R-7-2016-265      RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND FOR THE AWARD OF A CONTRACT FOR THE UNDERTAKING OF AN INVENTORY OF ASH TREES WITHIN THE TOWNSHIP POSSIBLY AFFECTED BY THE EMERALD ASH BORER.**

Copies of Resolutions duly filed.

**Mayor's Report:** mentioned the dedication of the Schoolhouse at the Dey Farm in honor of Councilman Hank Miller. Hank & Jean Miller have moved from Monroe and are now living in Edison in an assisted living facility. He next spoke about the July 4<sup>th</sup> fireworks and congratulated the Police Chief on the great job that his men did regarding traffic flow.

**Administrator's Report :** Mr. Hamilton pointed out resolution R-7-2016-262 - 2015 Annual Audit. He reported that it is clear findings and no formal recommendations for improvement. It will be posted on the website at the end of the week.

**Engineer's Report :** reported on the two resolutions this evening R-7-2016-249 and R-7-2016-250 are for guardrail repairs at a few locations in town.

**Council Reports:**

Councilwoman Schneider – attended the following:

- Groundbreaking for the Temple and Cultural Center which take 5 years.
- The Eagles Tribute by Dessert Highway.
- Empty bowl event.
- Human Relations Commission will be honoring Dr. Wolfe on Oct. 24<sup>th</sup> at 1pm in the library.
- The next multi-cultural event will be in April 2017.

Councilman Dipierro

- Commented on the June 18<sup>th</sup> dedication of the Schoolhouse at the Dey Farm in honor of Councilman Henry Miller.

Councilman Leibowitz

- Attended many of the events Councilwoman Schneider Attended and had nothing more to add.

Council Vice-President Dalina

- Commented on the number of residents utilizing Veterans Park and also the Spray Park facility.
- Congratulated John Katerba on the Schoolhouse dedication and honoring Councilman Miller.
- He also mentioned that any selling on Craig's List, Ebay etc., the Police Dept. has dedicated two parking spaces in front of the Police Station, "safe exchange zone" to make the exchange of the products sold/purchased on these various sites. It is lighted and has a 24hr camera surveillance. He congratulated the police for creating this zone for our residents to use.

Council President Koppel

- Commented on the 4<sup>th</sup> of July being a great "community event". She congratulated the Road Dept and Rec Dept. on a job well done.
- On July 7<sup>th</sup> the Summer Series will start in Thompson Park. At the end of summer the "Pirates of Penzants" will be performed by our Mighty Oak Players.
- She then spoke on the Audit and the work involved.

**Public:**

Mr. Grossman, 15 Doral Drive – commented that there are a number of important items on the consent agenda and more information should be provided such as the cost. He next mentioned that there was the introduction for the settlement on the housing. He recommends a zoning or land use map so the audience will know where these zones are going. Council President Koppel stated that they will be there. He asked for an explanation on R-7-2016-256 the fourth addendum to the intersections improvement agreement by and between the County of Middlesex, the Township of Monroe and Toll II, LP. Mr. Hamilton explained. He asked about the taking over of the traffic light from the County next. Mark Rasimowicz, Twp. Engineer explained the procedure. He finally commented on the Mayor's interview with the Superintendent and felt the Mayor did a good job.

Jennifer Hluchy, 436 Schoolhouse Rd. – asked that when approvals are given to developers and berms are part of the development and they are neglected, what is the recourse to have them maintained? Specifically, it is the development that Jack Werbler did across from Parker House. Mr. Rasimowicz stated that this would fall under the zoning officer. He will look into it. She next questioned the dump trucks from the development of Parker House damaging the roads. Mr. Rasimowicz will look into it as part of the Township inventory in maintaining the roads.

Michele Arminio, 9 Nathaniel St. – spoke about the 1800 Trucks generating truck traffic at the JSM site of Celebrations and the towns burden in repairing of the roads. This is a burden that she feels the taxpayers should not have to incur. She then asked questions on the following Resolutions:

Resolution# R-7-2016 258 – Cost of Handling Litigation in the matter of Monroe Twp. vs. Black Rock Enterprises, LLC - Mr. Hamilton responded \$25,000. She asked what type of litigation and Mr. Hamilton responded, illegal dumping.

Resolution# R-7-2016-251 – Approval of the Affordable Housing Trust Fund spending Plan. She is asked if that was just approving the plan or is there a dollar amount attached to the resolution. Mr. Hamilton responded that it is an approval of the plan and a dollar amount. The balance in the Trust Fund is over \$13 million dollars. The projected expenses for 2015-2025 period is in excess of \$21 million dollars. She then asked if this accounts for the 20% that the professions can use. He said that professional fees would be part of the amount. Next she mentioned that, in her profession, she saw inferior materials used in affordable housing. Mr. Hamilton assured her that this is not the case in Monroe.

Resolution# R-7-2016-233 – appointing the Municipal Court Judge. She ask who that would be. Council President Koppel responded that it is Judge Boyd. Mayor Tamburro noted that he has been our Judge for eighteen years.

Resolution# R-7-2016-238 – authorization of additional fees to Shain, Schaffer & Rafanello, PC to handle tax foreclosures as extraordinary litigation. She asked the amount. Mr. Hamilton responded \$11,218.67 and are for the town to absorb the properties in an “*In Rem*” foreclosure.

**UPON MOTION** made by Council Vice-President Dalina and seconded by Councilwoman Schneider, the Regular Meeting of July 6, 2016 was Adjourned at 8:25PM.

|            |                                       |     |
|------------|---------------------------------------|-----|
| ROLL CALL: | Councilman Blaise Dipierro            | Aye |
|            | Councilman Michael Leibowitz          | Aye |
|            | Councilwoman Elizabeth Schneider      | Aye |
|            | Council Vice-President Stephen Dalina | Aye |
|            | Council President Leslie Koppel       | Aye |

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PATRICIA REID, Township Clerk

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LESLIE KOPPEL, Council President

Minutes were adopted on October 5, 2016